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EDITED BY

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FRANCIS BACON

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FRANCIS BACON

HIS LIFE AND PHILOSOPHY

BY

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UNIVERSITY OF GLASGOW

PART I.

BACON'S LIFE

15919

CHEAP EDITION

WILLIAM BLACKWOOD AND SONS

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PREFATORY NOTE.

The materials for the whole of Bacon's period are to be found in the work of that most brilliant author, Mr Froude, and in the pages of the fairest of living historians, Professor S. R. Gardiner. My obligations to the latter are even greater than may be inferred from my numerous acknowledgments. His Life of Bacon in the 'Dictionary of National Biography,' confirming in almost every point my previous view, would have left me little to add had it not been obviously cramped in space. The scattered comments in his 'History' only require to be brought together to convey the most adequate representation yet offered to us of the great man's career. With this exception, Bacon's biography has been hitherto written by rival partisans. The duel between Mr Montague and Lord Macaulay has been renewed between Mr Spedding, inveterately bent on believing the best, and Dr Abbott, equally determined to believe the worst of the subject of their opposite portraitures.

Spedding's great work, the result of a life's devoted research, remains the source from which all commentators must draw their information; but few will wade through such a mass of material set forth with so little art. Mr Spedding's plan of arranging events, as in an annual register, under the years in which they happened, detracts from the interest if not from the value of his labours. He has left a quarry from which others must hew. I have made it a rule to discuss the questions with which Bacon's public life was concerned, less according to date than to the issues at stake, and to treat them with a view to their proportionate consequence. The prominence here given to the trial[1] of Essex slightly departs from this rule; but it may be defended as having hitherto been, in the minds of most readers, an *instantia crucis*. Dr Abbott having devoted a whole volume to the subject, returns to it in his larger work, conspicuous alike for its erudition and skill, but laying its author open to the remark that it is easy, in essence, to falsify facts by exclusively dwelling on the worst lights thrown on them. Maintaining Tyrone's conditions to be forged, and the confession of Essex to be a cowardly perjury, Dr Abbot refines the treason of the Earl down to an insane freak.

Bacon has been made the sport of antitheses; and the pedagogic zest for taking great men as texts, has never

[1] The substance of my treatment of this question appeared in a review of the first two volumes of Spedding's 'Life and Letters,' which I contributed in 1861 to the former 'Daily News.'

been more misplaced than when, in his case, substituted for criticism. The truth between the excesses of adulatory and iconoclastic zeal, is to be found in carefully considering the circumstances of the age in which Bacon lived—an age so wonderful because at once so magnificent and so mean.

The only claim that a historian or biographer can legitimately put forward, on introducing his readers to any doubtful question, is that they should regard it as an open one. Distance helps to make us impartial; but it would be hard to say what lapse of time frees our sentences from the chance of reversion. Prevalent opinion has always weight; but it loses authority when we can explain it by reference to collateral causes. If we can account for the formation of erroneous views, the tendency to stereotype them accounts for their continuance. It was natural that the courtiers of the Restoration should stigmatise Cromwell with the hypocrisy that clung to his name up to the date of Carlyle's vindication. Similarly, the fact that Bacon, during his life, took the unpopular side of several questions, that he was disgraced for an offence now severely judged, and died when there was no one adequate and willing to defend him, is enough to explain the character condensed in Pope's memorable line, expanded in Macaulay's Essay, reiterated in Lord Campbell's summary, and assumed by Kuno Fischer as, in some measure, a basis for his review of the Baconian philosophy.

Had Bacon finished his essay on "Fame," he might

have found instances in which Death did not "extinguish Envy." "Hero-worship," the partiality of a friendship established, across the gulf, between the great minds of the past and their living admirers, has occasionally sought to gild his weakness; but his name has been more frequently handled by those who love to contrast, than by those who strive in vain to identify, mental and moral excellence. We cannot be enthusiastic about Bacon as we are about Sidney, Raleigh, Greville, and others of the more personally fascinating figures of the age; but we can be just. Pope, Macaulay, Abbott, even Dean Church, and M. de Rémusat in his pre-eminently incisive outline of the philosopher's politics and the politician's philosophy, are unjust.

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FRANCIS BACON.

CHAPTER I.

BACON'S AGE AND SURROUNDINGS.

15919

"I HAVE taken all knowledge to be my province." "Reputation and fame, not for themselves, but as instruments of power for good." "To this (the 'oblation' of the 'History of Great Britain') I add these petitions. First, that if your Majesty do dislike anything, I can amend it at your least beck." These are the leading notes, not of two contrasted lives, inner and outer, real and assumed, the "closet penman" and the restless suitor; but of the same personality, consistent in its very inconsistencies, though checkered like the age in which it was set, "aiming at things beyond the reach of mortality," and descending to the lanes of "crooked wisdom."

Bacon's triumphs and defeats in speculation, as in practice, emphasise the fact that while men lead manners, manners make men. The strongest minds do

most to mould circumstance; the most discursive are, in general, the most readily conditioned. Serene independence may be the pure integrity of the patriot or sage, of a Cato Major or a Fichte; it may, on the other hand, be the easy boast of ignorance, fanaticism, or apathy. Whereas those endowed with an excess of sympathy for others and for themselves, are hampered by the dramatic gifts that give them sway: they are servants of their stage, prone to become puppets of the party to which they honestly adhere, or of the patrons they sincerely admire; they bend to princes or to mobs, and float with the stream, not because they are hirelings, but because a sometimes amiable weakness makes them believe that rulers or majorities must be in the right.

All natures are more or less subdued to what they work in, but in a degree that varies with the kind and tenor of their work. An abstract thinker may have his vision narrowed by the idol of his cave, but of the tribe around him he need take as small account as the ancient geometrician of the Roman soldiery, or the analyst of Königsberg of the ups and downs at Berlin. The relation of the tangent to the circle, of sensation to apperception, is the same under the despotism of a Grand Turk as amid the orgies of a red republic. But Bacon had no kinship to Archimedes or to Kant. Pure mathematics was one of the few things of which he knew little; hence the failure to recognise the limits of its rigid range which led to one of his most obvious errors. His metaphysics proper—*i.e.*, other than his faith in the unity of the universe—is a golden cloud made to do duty for the apex of an uncompleted pyra-

mid. His philosophy, though far from merely utilitarian, had for its aim to help life as well as to solve secrets, and his ministration to men made it necessary for him to learn their wants and study their humours. He was more than a philosopher even in this wider sense. There is no more flagrant freak of criticism than to treat his public life as that of one playing truant from his Academy or Porch. However he may have deceived himself, half of Bacon's heart was set on politics. Like Cicero he was a born orator, with all the defects of the orator's temperament; a statesman whose ambition was constantly overleaping itself, a man of letters whose speculative genius was more extensive than profound. Despite manifold differences, he was like Sir Walter Raleigh, at his highest a pioneer, at his lowest an adventurer. All three failed by lack of the single-eye that might have averted the tragedy of their all being foiled as actors by men indefinitely meaner than themselves.

Bacon was a representative, as much as he was a leader, of his time, and neither his life nor his philosophy can be even proximately understood without constant reference to its history. All the features, bright and dark, of our Elizabethan age, its splendour, its daring, and the wearisomeness of its intrigue, are conspicuous in his career and character. The group of great men who clustered round each other and the Court, variously inspired by genius, emulation, opportunity, had, in common, caught the spirit which then moved over the face of England.

The fact that the close of the fifteenth and the whole of the sixteenth century was a period of transition has been so reiterated that we are apt to for-

get how much the truism involves, especially that in studying such periods we find ourselves brought into contact with the ideas, methods, and leverages, often theoretically irreconcilable, of two ages; and that from the divided allegiance to really antagonistic systems no one then living, who thought at all, could wholly escape. The hundred years preceding the audacious claim of the "Temporis Partus Maximus" had, all over Europe, been rife in secular changes in moment hardly approached during the interval since the assertion of Greek independence. So much was going out, so much coming in, that the previously established framework of things seemed like an unsubstantial pageant. Men's minds were dazzled, while their fancies were inflamed at the opening of the gates of the modern world. There was a revolution in their conceptions of the physical globe almost equal in effect to an actual change in its conformation. America had been found in the sunset, and the highroad to Cathay reopened in the dawn. Copernicus had removed the cycles and epicycles that staggered the faith of Alphonso, the spheres "inlaid with patines of bright gold" that still lingered in the imaginations of the poets, and unfolded at once the simplicity and the immensity of the universe; but the earth reduced to an atom in the abyss seemed, in another point of view, to have enlarged her bounds when the mariners of Italy, Portugal, and England burst through the old walls of the sea, and "men saw beneath their feet the Indies of both hemispheres." Two generations elapsed during which the fortunes of all the leading States had passed between the Pillars of Hercules to hitherto unsuspected realms. The close

of the sixteenth century found us still in the stress of the sail, leaving the old authorities stretching out hands to a new faith, adventuring in more paths than even the author of the 'Instauratio Magna' was ready to approve. Standing on the confines of two worlds, and consciously pressing toward the future, he was still unconsciously influenced by the spirit of the past; but he was the first philosophic spokesman in being the first fully to recognise the increasing purpose of the time he thus congratulates:—

"For this great building of the world has, in our age, been wonderfully opened and thorough-lighted; and though the ancients had knowledge of the zones and antipodes—

> 'Nosque ubi primus equis oriens afflavit anhelis,
> Illic sera rubens accendit lumina Vesper.'

—yet that might be by demonstration rather than travel. But for a little vessel to emulate the heaven itself, and to circle the whole earth, with a course even more oblique and winding than that of the heavenly bodies, is the privilege of our age; so that these times may justly bear in their motto not only *plus ultra*, further yet, in precedence of the ancient *non ultra*, no further, and the imitable thunder in precedence of the ancient inimitable thunder; but likewise, that which exceeds all admiration, imitable Heaven, in respect of our sea-voyages, . . . a proficiency in navigation and discovery which may plant also great expectation of the further proficience and augmentation of the Sciences."

In this and similar passages we have the air of the same breezes that blow through 'The Tempest,' and Raleigh's voyages, and much of the 'Faery Queen'—the Queen of England, Ireland, "and Virginia." The spirit of the Conquisador gazing on the Pacific from a

height had, through report and example, taken hold of our captains—a spirit of daring, comprehensiveness, wonder, and credulity. Our representative mariners—whether adventurers like Hawkins, who laid the lines of our commercial empire; discoverers, as Drake and Gilbert, who made the first maps of twin hemispheres; or enthusiasts, as the Leighs and Howards, who, on the mountain wave, decided the issue between the old and the new chivalry—were men of various, sometimes of boundless ambition, averse to control but generally ready of belief. Their victories over storms and tribes, over all enemies but themselves, had inspired a supreme self-confidence, and made them disdainful of doubt or of fear. The old English "sea-dogs," the terrors of the argosies, had taken for their motto, "to strive, to seek, to find, and not to yield;" and his resistance to the mandates of the realm itself, in more timid days, led the greatest of them all, the Ulysses emphatically of the age, to the block. Bacon's share in this, as in other like tragedies of the time, is to be explained in part by the fact that he was the embodiment of law and order, as Raleigh was of an often reckless liberty: but, in other respects, they had much in common—the same encyclopædic mind, a like disdain of detail, a dangerous tendency to merge minor morals in imposing aims, the same Antæus-like hopes. In each, the visionary spirit, though tempered in each with shrewd practical sense, hovered over alchemy and astrology, and took shape in dreams so sanguine and unattainable as to seem to our critical age like fairy tales. When a new world of fact so full of authentic marvels had been almost at once revealed, to doubt regarding a new marvel seemed as

unnatural as it would now seem to accept it. We read in the 'De Augmentis':—"It is a most beautiful emblem that of Plato's cave. . . . If a child were kept in a dark grot under the earth until maturity, and then came suddenly abroad and beheld this array of the heavens and of nature, no doubt many strange and absurd imaginations would arise in his mind." The analogy applies, in a way scarce intended, to the great actor of the age and to the great thinker himself. When the memory of the Incas was comparatively fresh, what wonder that the former was lured from his manor and home-fields to seek the Eldorado whose battlements seemed to gleam through the arch of experience; or that the other, who breathed the same atmosphere, rose from the study of Paracelsus and Agricola to lay the foundations of a new Atlantis where the coarser metals might be transmuted into gold by superinducing the "forms" of the precious ore? Similarly, while modern History and Science were yet in infancy, long ere specialism had made havoc of "the grand style," it was by an equally characteristic and natural audacity that the one essayed to bring together the whole annals of the earth, while the other aspired to catalogue the phenomena universe and to supply an Organum "to storm and occupy the castles and strongholds of the Nature of Things."

The Elizabethan navigators, with their rumours of climates and races beyond previous ken, of plants, animals, and strange shapes of men, "of antres vast and deserts idle," enlarged the circle of ideas which our authors possessed and the circle of sympathies to which they could appeal. Their tales came to ready ears: for while the framework of the mediæval faith was being

dissolved, its habit of credulity was still half retained. The first act of the politico-religious battle had been played, but the old modes of thought in matters grave and gay were yet fighting hard to hold their ground. The cloister lights were flickering out, castles and towers, the long-bow and the coat of mail, had given place to towns and fleets and artillery; but customs and fancies derived from the Plantagenets still left their mark on literature and affected speculation. The poets, fortunate in command of the ideas and sentiments of two ages, could appeal to the hopes of the morning and to the picturesque superstitions of the twilight. While his nation was struggling against the dregs of feudalism, Spenser produced the noblest of chivalric poems. He has been called a poet of the past, but the following lines, among many, are inspired with all Bacon's forecast of the future:—

> "Why then should witless man so much misween
> That nothing is but that which he hath seen;
> What, if within the moon's far shining sphere,
> What, if in every other star unseen,
> Of other worlds he happily should hear?"

Shakespeare dreamt his 'Midsummer Night's Dream' before the fairies' doom of banishment had been pronounced, his 'Hamlet' and 'Macbeth' when men had not ceased to believe in "airs from heaven and blasts from hell," or that our evil desires might be referred to the solicitation of infernal ministers. The sailors to the Indies still heard Triton blow his horn and caught sight of mermaid seals sleeking their locks beside the tropic sands and tepid seas.

The same confusion of two worlds of thought which

helped the poets was apt to hamper the philosophers. No man was ever more generally in advance of his age than Bacon, or came nearer to "surveying all things as from a lofty cliff." In his anticipations of the Correlation of Forces, his groping after the law of gravitation, his objection to the *a priori* circular motion from which it was left to Kepler to purge the theory of Copernicus, he is a modern of the moderns. But that even he could not leap out of the shadow of that old age which is the youth of the world, is evident from his resolute denial of the earth's diurnal motion, his faith in the Persian magic, his deference to divination and belief that the stars incline, if they do not sway, our destinies. "When the 'Novum Organum' was written," says Dr Warton, "and the 'Tempest' planned, Prospero had not yet broken or buried his staff, nor drowned his book deeper than did ever plummet sound."

Among the numerous features of this transition age, constantly reflected in Bacon's attitude and work, the two most apparently inconsistent were the most prominent—the influence of the classics and the revolt from the chains of the past. For the source of these we have to look to previous movements in the same direction on the Continent.

I. In the history of thought,—among the desiderata of the 'De Augmentis,'—a conspicuous place must be assigned to the RENAISSANCE, which, outwardly traced to the impulse communicated by the Greeks scattered abroad by the capture of Constantinople, was in essence a further development of the same creative energies that had found an earlier outlet in Boccaccio and Petrarch. Chaucer, among ourselves had somewhat the same rela-

tion to this promise of May as the Elizabethans to the later June. The purport of the Renaissance is only half understood when it is called the Revival of Learning. It was an effort, in many directions, to liberate the mind from the trammels of Mediævalism; an attempt of men, at first within the nominal folds of the Church, to find a satisfaction for their whole nature which its discipline had ceased to supply; an awakening from slumber and resignation to the assertion and enjoyment of a more varied and richer life.

A protest against Scholasticism and Asceticism naturally took the form of a healthy rebound to much that was best "in the service of the antique world," and was followed by the renewed study of the only great secular models of life and poetry hitherto known to the West. This movement had, by every right, its first triumphs in Italy; for it was in her communes alone during the middle ages, while the rest of Europe was mainly divided between feudal barons, monks, and serfs, that something like the ancient tradition of political existence was maintained, that something like the ancient intellectual ideal was possible. Men went back from Aquinas and A Kempis to Plato, Cicero, Virgil, and Tacitus, as they replaced the canvasses of Fra Angelico by those of Raphael and Giorgione. Aided by the press and the sympathy of men of letters and men of licence everywhere, the movement spread till it reached our shores; but it came there in company with the half-kindred, half-alien influences of another impulse.

Like most leaders of revolts (emphatically like the Puritans in an opposite direction in a later age), the Italian humanists overdid their work, and discarded the

rational restraints, with the ascetic rules, of Catholicism. The worship of power and pleasure thrust the old reverences from their thrones: culture was dissociated from character, till men thought more of a bad construction than of a heartless lie, more of a fine period than of a devoted life; while their feigned submission to the Church was but an incentive to hypocrisy. The Court of the Renaissance was the Florence of the Medici, its poet Ariosto, its painter Raphael, its indignant sculptor Michael Angelo, its temple St Peter's, its wit Aretin, and its historian Machiavelli, the sum of whose ethical teaching is that in the scramble of States and princes, each lusting for dominance, craft must go hand in hand with violence in attaining the might which is the only right. This cynical excess led to the inevitable reaction, and the Catholic revival of Loyola was more easily successful because its opponents in the South had no centre round which to rally; but it was a victory won by use of plumes from the eagle's wing. The humanists had thrown undying scorn on ignorance, vulgarity, and mere dogmatism, and compelled the new champions of the Church to become men of the world, and to adopt the weapons of persuasion and argument. Meanwhile the complementary revolt in the North had taken place on other issues.

II. The Reformation and the Renaissance had, amid much diversity, a common emergence; we may regard them as two blades of the double-edged sword turned against the old order. In the challenge of Luther, more explicitly than in that of the great Italian galaxy, we have a vindication of the principle that man is no longer bound by mere external authority; and though

the new religious teaching took another shape in the assertion that no Society has the right to come between the soul and God, and pointed to different practical results, it led more or less directly to the speculative developments of a century later when Descartes anchored his method on self-consciousness as the rest from doubt, and Bacon declared that we must cast aside all idols and come to Nature "as a little child."

The Reformation was not the first, but the first successful, attempt to vindicate personal rights against organisation; and it gave the signal for the rise of individualism in politics and philosophy as well as in religion. Henceforth men began to take up new relations towards their environments, and ventured to criticise the States of which they found themselves members. But the very depth and reach of the revolution necessitated a struggle, long, bitter, and with a drawn battle at the close. Protestantism as an assertion of private judgment, was a tributary of the Renaissance stream; as an outcry of earlier Puritanism, it may be regarded as a secession of the stricter Northern races at once from the Italian Renaissance and from the Italian hierarchy. As the one had made the champions of the Church more literary, so the other made them more moral. As long as the hierarchy was under the presidency of such Popes as Alexander VI. and Leo X., or even Clement VII., with Cardinals to correspond, Protestantism could count on winning to itself all the latent Puritanism of Europe. But when Ignatius Loyola had sprung on the world an order more Puritan than anything that Protestantism had invented, when a new race of Popes lived in soberness, and the cry of reform was strongest from within,

the Protestants could no longer pose as the sole representatives of a moral life. The satire of Rabelais lost its sting when the Church had found a body that combined the urbanity and address of men of the world with the learning of the humanists and the spiritual fervour of the earlier Franciscans. All historians agree that to this "Order," so formidable even to the strong and popular government of Elizabeth, is largely due the hold Catholicism was able to reassert over what of Germany actually returned to its profession.

The contest, then ceasing to be mainly moral, became political and speculative; it lay between national independence and freedom of thought on the one side, one faith and one law on the other. At the close of the sixteenth century, the sword which Luther and Calvin brought on earth had finally cleft in twain the old European unity. The desire for autonomy had asserted itself, and the several States, like escaped planets, ceased to own a common centre—in Baconian phrase, each had its own *primum mobile;* but in rejecting a joint allegiance each laid more stress on that due from its subjects to itself. This was most conspicuously the case with the nations north of the rough dividing line between the Latin and the Teutonic races, most of all in England.

Our insular Renaissance has been traced to the studies revived, towards the close of the fifteenth century, at the universities; but these had, so late as the visit of Erasmus—not yet embarked on his middle course—no other connection with religious reform than the fact that they helped to bring our scholars in touch with the Continent, and paved the way for Tyndale's New Testa-

ment. The only very prominent public men noted, during the reign of Henry VIII., for general culture, were Wolsey and Sir Thomas More, who, with the poets Wyatt and Surrey, contributed to the refinement of their age and to the list of the falls and deaths that make up so much of its annals. All the comparatively scant literature of the troublous times that followed—Cranmer's Liturgy, Ascham's tracts, Sackville's drama and 'Mirror for Magistrates'—is saturated with classic influence; but learning did not become popular, it remained aristocratic and exclusive, till, during the last thirty years of the sixteenth century, the Renaissance and the Reformation met and were blended in the writings of Sidney, Hooker, Spenser, Marlowe, Shakespeare, Raleigh, and Bacon.

The transition from the old to the new *régime* of policy was not yet accomplished; but the flower-time of English literature had arrived. Clouds were still lowering round the Court, statesmen were perplexed to adjust the balances of power and countervail intrigues; but to the people at large it was a time of partial rest—a lull between the fight with feudalism and the struggle for representative government. The last echoes of the Wars of the Roses had died, the fires of Smithfield were extinguished, and the menace of rival fanaticisms had subsided to a mutter. The Reformation had contributed to diffuse knowledge in removing the belief in its danger which for centuries had hung like an incubus over the minds of men. The mantle of mystery was withdrawn from truth when the monkish monopoly was at an end. The clergy ceased to be a caste, and as the services of the Church became intelligible, the barrier between ministers and

laity was narrowed. Speculative liberty was outwardly restrained within jealously guarded bounds, but there was emancipation enough to bring with it the feeling of a freer atmosphere: after a feverish night men breathed the morning. The sense of stability, arising from a comparatively settled Government, was increased by the gradual development of an improved though still imperfect political economy. The nation had come from the verge of bankruptcy to a period of comparative comfort and content, and its social peace was the more secure that it ran no risk of stagnation; for it was the calm of a sky cleared by storms. Wealth brought leisure; leisure, the love of amusement and the demand for dramatic representations, no longer mere pageants, no more overshadowed by the ancient Fates, but full of motion, variety, aspiration, surprise. There was time to look before and after, to read Drayton's poetical antiquities and the well-languaged Daniel, to weave a more gorgeous web out of the cycle of Arthurian romance, and lay down a new scheme for interpreting Nature. The dearth of good prose which, more even than the rarity of original verse, had marked the preceding ages, had been largely due to the limitations imposed on thought. Poetry had been sheltered under the veil of fancy or the obscurity of satire, while prose only dared to revive romances, as in the eloquent compilation of Malory, or give a form to the patriotic paradoxes of Fortescue, or risk such a perilous apology as that of Peacock.

Another source of the long delay had been the unformed state of the language, which first in the sixteenth century attained its majority and became a fit vehicle for its noblest records. Conservative and ex-

pansive agencies together preserved, enriched, and enlarged. The archaisms of Spenser and the Scriptures were set against the shoal of foreign words required to express things and thoughts brought from afar. The nomenclature of the professions was wandering abroad out of laboratories, courts, and crypts. The Bible, the Liturgy, and the Fathers, all helped to form the style of Hooker, whose 'Ecclesiastical Polity' remains the only great original prose work in English preceding the 'Advancement of Learning.' It has been said that when the classics were let out of the monasteries, it was like the discovery of a Peruvian mine which every one might convert into current coin, and that the illustrations of Mount Pelion and the giants which descended from the town wits to the Mrs Fords and Pages of the day, were acceptable because they had not yet become commonplace. . Every Elizabethan pageant was a pantheon, the masques were moralities, in which the fables of Greece and Rome were interpreted in the manner—ingenious and forced—of the 'De Sapientia Veterum.' This antiquarianism, strangely set in a period of change, infused into its literature an element of pedantry. Pedantry, the essence of which lies in the worship of mere forms; a love of the queer and distant and difficult for themselves; of commonplace made obscure by involved phrase, of conventional oddities;—all the paraphernalia of half learning on parade,—was the natural excrescence of a time when native models were scarce, and educated Englishmen were turning from listening to miracle-plays and from baiting bulls to their new-found intellectual stores. Fostered by the bad taste of Elizabeth and James, this vice tainted in some degree all the writers

of the age. It appears in the sonnets of Surrey, in Sidney's 'Arcadia,' in the "taffeta phrases and silken terms" of Lilly's 'Euphues,' in Spenser's stereotyped compliments, in Shakespeare *passim*, despite his ridicule of Holofernes, in the quotations wearisome to excess in the 'De Augmentis.'

The zeal of the time for adaptation was not confined to the classics. It was an age of intercommunication of ideas everywhere. The reading public were divided between recasts of Ovid and Boccaccio, Plutarch and Petrarch, Virgil and Montaigne. Spenser's great work is a canto of obligations to Europe, ancient and modern; it has a feudal suggestion, an Aristotelian framework, but its flesh and body are those of Ariosto and Tasso. Half of Shakespeare's plots are borrowed from traditions of Greece, Rome, and Italy. Similarly it was the age of such political and scientific Societies as Raleigh's "Office of Address" and Bacon's projected league of philosophers. To a corresponding literary combination we possibly owe many of the thoughts and expressions, though to himself certainly belongs the form, of the work of our great dramatist himself.

Our Elizabethan literature grew with the growing prosperity of the age. In the twenty years between 1560 and 1580, when men were gathering confidence, it was playing its preludes; in the last ten years of the century and during the first quarter of the next, it broke into full orchestra,—a tumult of sound giving voice to a tumult of thoughts and passions let loose, and apt, in some directions, to run riot. The poets, bent on mirroring humanity under all its relations, often dismissed from their minds the restraints of ethics along with

the abstractions of the schools; and their works clad in the rich colours were also infected by the recklessness of the Renaissance. Many of the pictures in 'The Faery Queen' are as inconsistent with the author's reputed Puritanism as a Venus of Tintoretto or of Titian. "Hero and Leander," "Venus and Adonis," are, with all their added splendours, as purely pagan as the *Amores* or the verses of Lorenzo de Medici. On the other hand, the sound English sense, never more conspicuous than in the counsels[1] of the best writers and statesmen, of an era at bottom as shrewdly practical as it was imaginatively adventurous, prevented any form of pedantry from permanently corrupting the national taste, or any gusts of passion from loosening the sinews of the national character.

In Bacon, as far as was possible in one man, the learning of the age met and mingled. All the Romance —*i.e.*, at that date all the literary—languages of Europe, were part of his province. In his pages all the classics —save Homer and the Greek dramatists—are rifled to enrich the "Globus Intellectualis." All the philosophies of the West and most of the little then known of science, come within his ken. His criticisms of history are generally sound, as are his references to the dicta and methods of previous authors, and his quotations, though somewhat overlaid, are always illuminating. He had no pretension to the minute scholarship of a Casaubon or a Scaliger; but his grasp of the Latin tongue was firm, and his use of it facile. It is in the influence of Italy, ancient and modern, over his

[1] *Vide* especially the letters of private advice written by Burghley, Raleigh, and Bacon himself.

thought, that we find him as emphatically a child of the Renaissance, as was Leonardo da Vinci. Of its physical and emotional excesses, whether of love, hate, cruelty, or violence, he had no touch; but in its love of letters and discovery, in its revolt from stereotyped restraints, its seeking after the substance of the new, incongruously at times tempered by reverence for the forms of the old, he was the greatest of the heirs of the movement. We shall have to note again how much he owed to the ancient philosophies he formally assailed: his acceptance of their political ideas is almost unreserved. Bacon's whole conception of a State,—its relation to the individual; its supreme authority; the subordination of classes within its bounds; its proper attitude to other nations, of war, finance, commerce; its cultivation of art and science,—is Greek to the core. His idea of a State religion, which he would at once reform and assert, and of the limits of dissent and conformity, recalls the "Laws" of Plato. His continually recurring standard of life, in all public and private relations, is neither more nor less than Aristotle's "Golden Mean." Passing from theory to practical details, Bacon takes, with considerable modifications no doubt, but yet in the main he takes his model from nearer and more questionable authorities —those of Rome, grown crafty in her decline, of Florence struggling in vain against her tyrants, from the historians of the Renaissance itself—Guicciardini and Machiavel.

Further to understand and realise the world in which Bacon and his compeers moved, into which he himself was born by inheritance, we must now turn from the grander features of the age, which gave a large utterance

to comprehensive thought—we must turn to its darker side.

There has rarely been a policy or a Court more imposing, one more stamped with majesty of manners and of view—on the other hand, there has rarely been, in any civilised country, a policy or a Court, in some important respects, more corrupt, than those of the last quarter of the sixteenth and the first quarter of the seventeenth century in England. Among the ruling classes, energy, courage, culture abounded; prudence and self-restraint were often conspicuous. With our Elizabethans the Aristotelian magnanimity and magnificence were no mere flourishes, generosity and courtesy no mean graces; warriors were inspired by a patriotism none the less genuine because alloyed with the soldier's thirst for a halo of renown; statesmen and lawyers had a substantial regard for essential justice, and, in great matters, a determination to maintain it. Treason in either class, from self-love, was overtaken by a Nemesis that was popular because it was felt to be deserved. Despite incessant rivalries, promotion was, in the long-run, given to merit. Learning was never less degraded; and that genius, though seldom well paid, was fairly recognised, appears in the noble kinsmanships of Raleigh and Spenser, Southampton and Shakespeare, Essex and Bacon, in the devotion of all the Court, save the jealous Queen, to its knight without fear, reproach, or blot, Sir Philip Sidney. Never had men of letters a higher standard of style, men of action broader aims; never were either more emulously keen in the pursuit and *discovery of truth;* but of *telling the plain truth* to each other they took little thought, of telling it to their sovereign none

at all. Despising the opinions of the many, they became slaves to the caprice of one. The *ipsa veritas* of nature was the goddess of the philosophers, but the *veracitas* of civil business was unknown to the "politicks," who "would circumvent the gods," whose models were not Pericles, nor Regulus, nor Hamlet, but Alcibiades, the Medici, and Iachimo. Few Courts have been free from intrigue; and wretched caterers for applause have thriven by shifts and turns and ambiguities even more audaciously amid mobs than in what Clarendon calls the Aulic Council. "Truce to all these;" but the calamity, almost the catastrophe of Bacon's age, was that the lie had sunk into the soul of men in other respects great, who were not ashamed fashionably to forget their self-respect.

There are occasions when even the most unbending of the virtues may be overstrained. Much is allowed in war, if not in love; there are extremities where we condone, if we cannot commend, evasion and trivialities, where the show of a deceit is the form of a courtesy or the soul of a jest. No one blames Themistocles for his ruse about the bridge of boats; only German pedants grudge to Falstaff the laugh of his barefaced and innocent impositions. Similarly, "Your Gracious Majesty," "Most Excellent King," "Very honourable Friend," in dedications, addresses, or notes of affairs, pass muster with the "Dear Sir" of an angry dun for the uttermost penny of a debt, or at worst, with the "Not at home" of a man of business or letters who can by no other means be secure of an unmolested moment for reflection or repose. But the "dissimulation and simulation" prevalent under Elizabeth and James went far beyond this;

it equalled that of the most reckless and pertinacious of modern demagogues; it destroyed trust, cooled friendship, abashed candour, and made masters of the situation the holders of the keys of craft. To outwit, to surprise, to bewilder, to "frame," to "look one way and row another," were maxims of State, till what was a principle in public affairs became a practice in private; and the doctrine that a great end justifies doubtful means easily led to the application that any end of advancement justified means undoubtedly bad. Hence it happened that hardly one of the public men of those days had a perfectly open heart, and very few had quite clean hands.[1] Walsingham, accounted the wisest statesman of the time, is credited, not reproached, with having outwitted the Jesuits by trumping their cards. Salisbury was in the pay of Spain, and intercepted letters; Leicester undertook measures he never intended to carry; Raleigh made promises he never meant to keep; Essex seems to have lied on oath; Hawkins made a treaty with the Queen for his slave trade, by surrendering to her half the profits. Faction intrigued against faction, favourite undermined favourite, relation slandered relation. Petty jealousies and hates were cloaked in obsequious terms. Suspicions, "among thoughts like bats amongst birds," brooded about the thresholds of every noble enterprise.

If the reign of Henry VIII. was that of beheading, and of Mary that of burning men, the reign of Elizabeth was the gala for setting them on edge, backbiting, and tripping them up. In the earlier period right was brow-

[1] Some of these, and other instances, are adduced in the introduction to Dr Abbott's 'Life of Bacon.'

beaten, in the later it was wheedled. Delays of justice, if not justice itself, were arranged by bargain; and mild sentences, if not acquittals, bought and sold. Men were thrust by their enemies into high places of danger for their undoing; they hesitated to accept service abroad, for fear of the triumph of traducers at home. Important posts were given away before they were vacant, in return for pledges of hard and fast support. Judges were solicited by patrons, and patrons by judges. In canvassing for place, no log-roller of the West has been more shameless in making contracts or in breaking them. Patrons and suitors, alike ready to transfer their adulation or their aid, were pitted against one another, like the lockmaker and the burglar; now one, now the other, had the superiority in feigning. Subserviency was an art that was only overdone when detected: its methods are ranged under heads by some doggerel-monger of the day, quoted by Dr Abbott:—

> "Cog, lie, flatter, and face
> Four ways in Court to win you grace;
> If you be thrall to none of these,
> Away, good Piers! Home, John Cheese!"

Away "the honest courtier with the gentle mind," who in "Mother Hubbard's tale" (the keenest satire from a mainly pure idealist) had found—

> "What hell it is in suing long to bide,
> To spend to-day, to be put back to-morrow,
> To feed on hope, to pine on fear and sorrow,
> To fret thy soul with crosses and with cares,
> To eat thy heart with comfortless despairs,
> To fawn, to crouch, to wait, to ride, to run,
> To spend, to give, to want, to be undone."

In a previous line the poet writes, himself conceding to the master fear—

> "To have thy Princess' grace, yet want her peer's."

But if the canker of the age can be traced to any single source, it is to the Princess herself. Its sycophancy had its apotheosis in every word said or written to, or said or written of, and meant to be seen by, the sovereign. An abject form of so-called loyalty vitiates and mars almost all the loftiest prose and verse of the time. Every reader at once of the 'Faery Queen' and of its contemporary history, is sick of the contrast between the real and the fictitious Gloriana, Britomartis, Belphœbe; nor are Sidney, Raleigh, Shakespeare, and Bacon far behind in their praises—praises which it is the greatest blot on the mighty name of the last to have carried on with interest and laid at the feet of the meaner figure-head of the next generation; for what reader of the 'De Augmentis' is not intolerant to loathing of the panegyrics of the royal Solomon that pester its splendid pages?

It is no avail to reiterate, as apologists are wont, that those abasements cannot always be attributed to either fear or favour; that the circumstances in which some of them were made—*e.g.*, in such *post-mortem* tributes as the 'In Felicem Memoriam'—exclude mercenary motives. The assertion, when well grounded, but shifts the charge from moral to intellectual obliquity. The fact remains that these fancy pictures have little relation to the recorded acts, words, and policies, public and private, of the personages they profess to represent. If Spenser really believed Elizabeth to be like Mercilla,

and Shakespeare all he said of his "imperial votaress' fancy free," if Bacon in his heart held James to be the supremest vicegerent of the Almighty earth had shown, it follows that their faculties and judgments were so far benumbed and stunned. "Fingunt simul creduntque" has, down to our own day, had constant confirmation in the irrational servility of pledged "parties" or infatuated "societies." This habit of worshipping power cannot have been wholly due to the personal characters of men whose natures were so various—some of them bold to audacity—nor to their profession. The assertion that poets are courtiers holds only to the extent that the imagination is easily and vividly impressed by commanding personalities. Æschylus flattered neither archon nor mob; Chaucer is almost as frank as Burns. Whereas the spirit of subservience was, among the writers of Bacon's age, in prose and verse alike, universal. The fact must be explained, if at all, by reference to antecedent history, the attitude of the Court of the time, and the characters of the reigning monarchs.

It is noteworthy that the progress of popular government in our country, far from being uniformly continuous, had been, for a century previous to the period of which we are speaking, retrograde. At an earlier epoch, that which marked the close of the Barons' wars, the greatest of the Plantagenets had reconciled the contending parties by concessions offered at the best time—*i.e.*, after a victory over his opponents in the field. With the best results, as shown by Professor Gardiner, he "accepted the idea of a king ruling in accordance with law and submitting his judgment to the expressed will of a

national council." He admitted the establishment of two Houses, representing various classes of society, "in all main respects like the Parliament of to-day," requested their advice, yielded up to them the levies of taxation, and became at once a popular, a national, and a powerful monarch. Under his unworthy successor a new stimulus was given to civil commotions, which, only postponed by the foreign wars of Edward III., again broke out under Richard II., and led to the usurpation of Bolingbroke. Slightly checked by his disputed authority, the feudal factions—after another defiant interlude, that of Henry V.—became rampant in the Wars of the Roses, which resulted neither in the adjustment of ideas nor the consolidation of races, but in the establishment on the throne of a substantially new dynasty. Henry VII. conquered England for the second time. We can understand neither the history nor the literature of the succeeding age, without bearing in mind that the first of the Tudors came to power upon other conditions than those which had for two centuries bound his predecessors. Richmond, by grace of the battle of Bosworth king, opened the act of the English drama that practically ended with the battle of Naseby. He availed himself of the exhaustion of the knights and the yet insecure position of the knaves, to undo as far as possible the work of Magna Carta. The rats of Piers Plowman's "Vision" were driven to their holes, and the cat was left free to eat the mice. Henry VIII. inherited an almost despotic power. A man of strong passions, arbitrary will, and mediocre intellect, his main effort, amid the cross currents by which he was bewildered, was to maintain it. During his

reign the influence of the House of Commons grew, the clergy were enfeebled, and the peers made subservient by new creations. The unbroken strength of the national spirit, in which, apart from personal motives, the king had a share, led to the termination, by the "Act of Supremacy," of the struggle begun when the Conqueror refused to pay Peter's Pence to Hildebrand; but Henry was at heart as faint a Protestant in doctrine as in life, and sent, with equal rigour, those who touched his prerogative to the scaffold, and those who consistently upheld the new faith to the stake. There followed the fanatical Calvinism of the advisers of the minor, Edward VI., and the five years of reaction, terror, and almost fatal alliance with Spain, under the hysterical Mary. At last a sovereign long desired claimed from a nation doubly predisposed by absence of other authority to be loyal, the homage due at once to a Tudor and to a lady. We may strike the balance as to her character by reading Bacon's panegyric and the modern 'Westward Ho!' alongside of the reluctant summary of Mr Froude, and the more unreserved condemnation of Mr Motley.

Criticism and research have left to admire in Elizabeth her masculine force, a capacity that never failed of rising to emergencies and identifying herself at every crisis with her people; courage, majesty, frugality, genuine patriotism, and always a broad strand of commonsense. Chivalry cannot conceal that she was jealous, suspicious, preposterously vain, and treacherous to the core. For its own sake she loved and made a lie, disowned and tried to deceive alike Spaniards and Dutch, the Regent Murray and the Prince of Parma; and

encouraged her courtiers to be mutual enemies, that she might have them at her "least beck." Her pardonable intolerance of the rival intolerances of Jesuit and Puritan was unfortunately surpassed by a greater intolerance of unpalatable advice, and her personal vanity, a quality which in the alleys of life is mere matter for jest, has made an ugly mark on much immortal work. The Queen who has given her name to our greatest age did comparatively little to make it so. In politics, her figure was raised on the shoulders of the statesmen by whom she was surrounded, and, often in her own despite, preserved. Her influence on literature was mainly bad: that of her successor, of whom we shall later have enough to say, was altogether bad.

A good critic, M. de Rémusat, has remarked that while the reality of absolutism did not shake the Tudors, the assumption of it overwhelmed the Stuarts. But the thinkers who had been educated, for good or ill, under Elizabeth, failed to grasp the issues at stake in the next generation, and in their fear of national disruption rallied round a throne, to them the equivalent of the British constitution, the representative of national independence and national unity. Of popular rights in the later sense there was little conception: in England then, as on some parts of the Continent still, sovereigns and statesmen rather than parliamentary majorities were the pivots of public life: the continuity of history depended more on personalities, less on policies or even traditions. We find a parallel—a parallel which only fails because liberty in the one case was being buried, in the other being born—in the old Augustan age, when the same weariness of change, the same sense of rest, on al-

most any terms welcome after two generations of strife, led men to extol and even esteem beyond at least his personal deserts the ruler who seemed at last to have anchored the ship.

"Altera jam teritur bellis civilibus ætas,"

exactly expresses the feeling of exhaustion, almost despair, that beset our own nation during the reign of Mary.

"Jam satis terris nivis atque diræ
Grandinis misit Pater,"

was the cry of the Roman poet after Actium, of the English on the accession of Elizabeth. "Bring ointments, boy, and crowns. As the mother yearns for her son, whom the north with envious blast has kept from his pleasant home, our country longs for thee, best caretaker," is her anticipated welcome.

The lines quoted to this intent by Bacon himself—

"Tutus bos etenim rura perambulat
Nutrit rura Ceres, almaque Faustitas.
. . . . . .
Tua Cæsar ætas
Fruges et agris retulit uberas
Et signa nostro restituit Jovi"—

were, in our soil, two decades after the Armada's wreck, almost literally translated:—

"She shall be loved and feared; her own shall bless her—
Her foes shake like a field of beaten corn.
. . . . . .
In her days every man shall eat in safety
Under his own vine what he plants."

Nor is there any dedication of his Chancellor exceeding the praises that follow of her pedant heir :—

> "Who from the sacred ashes of her honour
> Shall star-like rise, . . . the greatness of his name
> Shall be and make new nations."

All the verse of the writer, be he Fletcher or a greater, has the same ring. The dramas of the period are, in a double sense, its *regalia*. There is not a sympathetically democratic line in one of them; they are aristocratic or autocratic to the core. From the trumpet-call of Agincourt to Cranmer's post-dated prophecy they are inspired, on their public side, with two passions—glory in the "little England with a mighty heart," and glorification of a patriot king.

The majority of the population is, with all the great authors of this age, the mob, the groundlings, the *profanum vulgus*, a "rascal scum of poor rats." Their fickle censure and applause, their seditious sounds, are to Raleigh as to Bacon, what they were to the leaders of the Renaissance: material to the poets for a tragic or comic chorus; to the politicians, troublous elements to be humoured, beguiled, controlled, never respected. The triumphs and tyrannies of this despised class or mass lay two centuries ahead; and it was impossible for the writers or actors who only remembered their abortive insurrections, as that of the Jacquerie, Tyler, and Cade, two centuries behind, to foretell or even to fear the future. The error of these thinkers lay in not perceiving that the days of absolute monarchy in England were numbered, and that the struggle of the seventeenth century between it and the middle class (of which, and

not the multitude, Cromwell was the captain and Milton the bard), was about to begin. Bacon, who came more near to foreseeing the contest than any other statesman of his time, desired to forestall it by a minimum of concession. His fault was that, seeing in many directions far beyond his age, he was content to represent where he failed to guide, and marred the lustre of his name by his courtship of men whom he inwardly contemned. This fault has been, in ignorance of his perplexing environment, overrated; but it was more essentially a part of his character than in the case of his rivals in genius; one of whom, when at bay, turned on his oppressors with a deathless defiance, while the other moved mainly in a sphere apart. To each of the master-minds of the age may be assigned an empire: that of Bacon was the land; of Raleigh the sea; Shakespeare's feet were firmly planted on English earth, but the higher reaches of his spirit were

"Before the starry threshold of Jove's court."

CHAPTER II.

BACON'S LIFE TO THE DEATH OF ELIZABETH.

1561–1603.

FRANCIS BACON,—second[1] son of Sir Nicholas Bacon, Lord-Keeper of the Great Seal under Elizabeth, and Ann Cooke (daughter of Sir Anthony Cooke), whose sister Mildred became the wife of Sir William Cecil, afterwards Lord Burghley,—was born on the 22d of January 1561,[2] in his father's residence, York House, London, and died April 9, 1626, in the house of Lord Arundel, near Highgate.

Almost an exact contemporary of Galileo and Shakespeare, he was the junior by twenty-eight years of Montaigne, by eight of Spenser and Raleigh, the senior by twenty-seven of Hobbes, by thirty-five of Descartes. Copernicus lived nearly a century before him; Leibnitz and Newton flourished nearly a century later. His life fills the whole period known in the world of letters as the Elizabethan Age. In literature he remains

[1] *I.e.*, the youngest of eight children of Sir Nicholas, six being by a former marriage.

[2] The year then began with March, so the old date would have been 1560; but I adopt throughout the now current chronology.

the chief of English essayists; in design he takes a high rank among law reformers; as a philosopher, he did more than any of his predecessors to popularise those inquiries into Nature now recognised as the distinctive feature of modern research; as a logician, he was the first to apply, though with imperfect success, a rigid method to the investigation of physical phenomena.

An adequate account of his career would involve a review of almost the whole history of England during the last ten years of the sixteenth and the first quarter of the seventeenth century. In our space, we can do little more than note the stages and suggest conclusions regarding the most disputed passages of his life; passages which have been the theme of discussions almost as keen as those still engaged with the character of Mary Stuart.

The first twenty years of Bacon's life are nearly a blank to us. We know that he spent his boyhood between the family residence, situated near the present Strand and the Thames, in London, and the country-seat at Gorhambury in Hertfordshire. In his twelfth year (April 1573) he was sent to Trinity College, Cambridge, where his tutor was Dean Whitgift, afterwards Archbishop and the champion of the Established Church against Cartwright. He left the University at Christmas 1575, having at the boyish age of fifteen acquired a reputation for precocious learning, and, during his brief residence, already conceived a dislike to the prevailing system of education in the worship of Aristotle, — "not," says Rawley his chaplain and first biographer, "for the worthlessness of the author, to whom he would ever ascribe all high attributes, but for the unfruitfulness of his way." Early in 1576, he

was admitted, along with his elder brother Anthony (both being naturally destined for the bar), to the Society of Gray's Inn; and there shortly afterwards erected the lodgings which he continued through his life at frequent intervals to inhabit. In the following autumn he went abroad with Sir Amyas Paulet and passed three years as a member of the ambassador's household between Paris, Blois, Poitiers, and Tours, a period which we can only conjecture to have abounded in fruitful experiences. Mr Spedding's idea that Bacon was sent to France by his father that he might become familiar with the seamy sides of Continental policy, seems fanciful; but we may believe that he found more matter for warning than example in the recent memories of St Bartholomew, the intrigues of the Court of the last Valois, and the plots for marrying Don John of Austria to Mary of Scotland. During part of his sojourn, if we may trust an allusion in the 'De Augmentis,' the embryo student of foreign affairs was engaged in planning a new system of ciphers, a method much in demand in the course of an often tortuous diplomacy.

Two definite anecdotes of his sojourn are worth recording. In 1578, when Bacon was at Paris, the painter Hilliard made a miniature of him, and inscribed beneath it: "Si tabula daretur digna, animum mallem," —a remarkable testimony to the conversational powers evinced by a youth of eighteen. The second incident appears in the 'Sylva Sylvarum,' in the midst of the half-credulous, half-critical discussion of presentiments, where he tells us that, in February 1579, he dreamt that his father's house in the country had been plastered over with black mortar; and it so happened that two

or three days later Sir Nicholas,[1] falling asleep after being shaved, in bleak weather by an open window, caught cold and died. This event led to Bacon's speedy return to England. Having inherited a small share of fortune, he began to devote himself in earnest to the study of law, residing for the most part at his Inn of Court, of which he was, June 1582, admitted to be an utter barrister, and initiating in the second and third of his extant letters, addressed to his aunt, Lady Burghley, the long list of incessant and importunate appeals for countenance, help, and promotion, which only closed with his death.

During those early years we have glimpses of the future Chancellor beginning his apprenticeship as a courtier, by answering to the Queen, when asked his age, "Only two years younger than your Majesty's happy reign;" and being saluted in return as "my young Lord Keeper." But stars adverse to the Cassiopœia of his freshmanship intervened, and his suit to the Cecils and to Walsingham only procured an early admission to the Reader's table, and afterwards to the Bench of his Inn. From first to last Bacon failed to understand that patrons are apt to distrust, if they do not dislike, those who cannot cease from troubling.

[1] Sir Nicholas, whose death may have retarded his son's advancement, though hardly to the extent assumed by Dean Church, seems to have been a fair rather than a great lawyer, a man of genial impulse, free generosity, and apt jest. Bacon's mental inheritance from his parents appears nearly to have reversed that of Goethe's, conveyed in the familiar lines:—

"Vom Vater hab' ich die Statur,
Des Lebens ernstes Führen;
Von Mütterchen die Frohnatur
Und lust zu fabuliren."

The premonitions of the future author of the 'Instauratio' lisping in philosophy, and forming at the age of fifteen the first scheme of the 'Novum Organum,' are in like manner mere broken lights. The first distinct record of an ambition which, as is often the case with genius, almost partook of insolence, appears in the short Latin tractate, under the magniloquent title, 'The Greatest Birth of Time.'[1] If this was written, as accepting a reference in 1625 we must suppose, in 1585, it dates with the author's entry into public life. He sat in the Commons of 1584 for Melcombe Regis, and assumed the attitude he always, with modifications, steadfastly in the main preserved, that of a moderate reformer in secular matters, in religious an advocate of modified tolerance to both extremes—Puritan and Romanist—on either side of the "Via Media." Doubtless he leant more to the former at the beginning than towards the close of his career: the change may be accounted for by the waning influence of family ties, the increasingly difficult demands of the Nonconformists, and Bacon's own, sincere as well as politic, increasing attachment to the Court. His mother, one of the women whose scholarship and accomplishments still add to the lustre of her age, not only stimulated, but at first helped to direct, the energies of her son. Her character is sufficiently displayed in the anxious letters despatched from Gorhambury to Gray's Inn; where Latin and Greek quotations and fervent expressions of a zeal, that ere her death became a mania, appear side by side with plain

[1] *V. inf.*, vol. ii. chap. i., for a consideration of the question how far this 'Temporis Partus Maximus' is represented in Bacon's published writings by the fragmentary 'Temporis Partus Masculus.'

practical advice, directions about diet and early rising, cautions against Popery and "hurtful hangers-on." The minuteness of the warnings against confidences and excess of generosity would seem pedantic did they not reflect on some of the weak points in the after-career of the sons to whom they are addressed. Affectionate, devout, suspicious, the sum of her advice, "Regard your health and serve the Lord," suggests the watchword of the great Puritan captain of the next generation, "Put your trust in God and keep your powder dry." The training of this mother could not have been without its influence on Bacon's mind; and her leanings to Nonconformity worked, along with other elements, in enlarging his views and fostering his interest in the cause of "the reformed religion still upon its trial in England." In 1586 he was returned to Parliament for Taunton, in 1588 for Liverpool, in 1593 for Middlesex.

These years were fertile in events. They saw the disclosure of three plots to assassinate Elizabeth and place a rival queen upon the throne. The Parliaments called on to form an association to provide against a repetition of such designs, had also to take part in authorising the colonisation of Virginia, the trial and execution of Mary, the precautionary measures against the Jesuits, the providing of funds to repair the expenses of the Spanish war. In reference to all those measures Bacon, who drew the first breath of his public life "in a contagious atmosphere of loyalty," was one of the most active and eloquent supporters of the interests which the Court seemed to share with the country at large. To the unsurpassed powers of his oratory and

influence in a house accustomed to listen to the silver tongues of Raleigh, Sidney, Vere, Drake, Walsingham, and Egerton, we have the testimony of Ben Jonson: "No man ever spake more neatly, more pressedly, more weightily, or suffered less emptiness, less idleness in what he uttered. No member of his speech but consisted of its own graces. His hearers could not cough or look aside from him without loss. He commanded where he spoke, and had his judges angry and pleased at his devotion. No man had their affections more in his power. The fear of every man that heard him was lest he should make an end." On two memorable occasions this eloquence, so rich and strong and terse—the eloquence of the 'Essays' and the 'Organum'—was opposed to the policy of the Government. The bill sanctioning a "Defence Association" was passed with remarkable unanimity, but on other questions there was a majority opposed to the Court. The history of the controversy between the Church and the Nonconformists may be read (as by Mr Spedding) as the record of a great error, owing to which the most fervent form of Protestantism, prohibited from further protesting, was driven out of the English State. It may be read (as by Hooker) as the record of the inevitable conflict of State authority with the extremes of fanaticism. The same controversy, continued to our day, has shifted its ground to the assertion and denial of the principle that all men, lay or secular, who receive the aid of a State, must abide by its decisions; and that these decisions must be ultimate when the question arises as to the border line between temporal and spiritual. But in the sixteenth and seventeenth centuries the State

claimed theoretical jurisdiction, however practically restrained, over the religious teaching of all denominations. Moved both ways, by family bias and personal tolerance on the one side, by his reverence for order on the other, Bacon, at this juncture, struck in, with that mixture of audacity and caution which is an almost unique note of his intellect, to mediate between the contending parties. In doing so, he adopted the course prescribed by his temper, as well as by the circumstances of the time, in addressing himself to headquarters. It has been often observed that Parliament was then in a very minor degree the arena of power which it has since become. The speeches of members having no public reports, their direct audience was limited; and their decisions were seldom final, for the Sovereign and her Ministers were more than half the State. Bacon never belonged to the party which ultimately reversed this condition of affairs: his impressive oratory was directed rather to the reason of the few than to the passions of the many. He believed not only that knowledge was entitled to govern ignorance, but that knowledge was for the most part to be found in the higher ranks of society: a philanthropist to the core in desiring to benefit, he did not, to use a favourite modern phrase, "trust the people." His loyalty to the Crown was quite as much a matter of sentiment and conviction as of interest, and he began as he closed his political career in the *rôle* of its adviser. The external evidence as to the authenticity of the Letter of Advice to the Queen (1584-85?) is inconclusive, but it bears all the marks of his manner, and is equally remarkable for the ripeness of its matter and the tone of authority already assumed

by a man in his twenty-fifth year, with only a year's direct experience of public life.

Bacon in this address counsels his Sovereign to exclude the Roman Catholics from meddling in public affairs, but to impose no further restrictions on their religious liberty than that involved in subscription to the oath of allegiance. "For preachers," he writes, "I am bold to think that the bishops in this dangerous time take a very evil and unadvised course in driving them from their cures." In 1586 Bacon became a Bencher of Gray's Inn. In 1587 the execution of Mary Stuart, and the defeat of the Armada 1588, seemed to have quenched the hopes of the seditious party among the English Catholics; and though never wholly disappearing from the field of debate, the question of their relations with the State, for seventeen years, became less prominent. The theological discussions of the remainder of Elizabeth's reign turned mainly on the other side of the balance, the relation of the Church to the Puritans, discussions enlivened while vulgarised by the Marprelate controversy and afterwards raised to a position of commanding dignity by Hooker. In 1589 Bacon issued the first undoubtedly genuine of his great series of political treatises, which, stretching over a quarter of a century, have much the same relation to the political problems of the age of Elizabeth and James as those of Milton afterwards bore to those of the Commonwealth. Both men were, in a sense, moderates, though both enthusiasts: each indefinitely surpassed all his compeers in learning as in power: both were practically ousted by the result. The following passage from Bacon's paper is the

refrain in which, on religious questions, he always wrote :—

"We contend about ceremonies and things indifferent, about the externe policy and government of the Church: in which kind, if we would but remember that the ancient and true bonds of unity are one faith, one baptism, and not one ceremony, one policy; if we would observe the league among Christians that is penned by our Saviour, 'He that is not against us is with us;' if we could but comprehend that saying, 'The diversity of ceremonies doth set forth the unity of doctrine,' and that 'Religion hath parts which belong to eternity and parts which pertain to time;' and if we did but know the virtue of silence and slowness to speak commended by St James, our controversies of themselves would close and grow together. . . . To leave all reverent and religious compassion towards evils or indignation towards faults, and to turn religion into a comedy or satire; to search and rip up wounds with a laughing countenance; to intermix Scripture and scurrility sometimes in one sentence, is a thing far from the devout reverence of a Christian, and scant beseeming the honest regard of a sober man. There is no greater confusion than the confounding of jest and earnest. The majesty of religion and the contempt and deformity of things ridiculous are things as distant as things may be. Two principal causes have I ever known of atheism—curious controversies, and profane scoffing: now that those two are joined in one, no doubt that sect will make no small progression. . . . Few follow the things themselves, more the names of the things, and most the names of their masters. . . . It is hard in all causes, but especailly in matters of religion, when voices shall be numbered and not weighed. . . . God grant that we may contend with other Churches, as the vine with the olive, which of us beareth best fruit; and not as the briar with the thistle, which of us is most unprofitable."

There is nothing in this document over which the most

zealous upholder of his fame would be ashamed to write "Franciscus Bacon sic cogitavit."

His papers of this period fall under two main heads. 1. Those which relate to affairs of general interest, grave and gay, from the masterly defence of England under the head of "Observations on a Libel," to the contributions (January 1595) to the "Gray's Inn Revels," the "Device of Essex" (December 1595), and the "Promus of Elegancies" (1596). A review of those writings belongs rather to a criticism of Bacon's works than to a survey of his life. In the most playful there is the full harmony, the rich illustration, the strong terse thought that have made the "Essays" immortal. 2. Those which relate to his own career and prospects. The most wearisome portion of Bacon's biography is the almost intolerable detail of his almost endless suit for office. No man ever proposed to enter upon public life with more reason to expect rapid advancement, and very few have had to wait longer for it. All the direct patronage that his close relationship to "the two columns of State," the Lord Keeper and the Lord Treasurer, gained for him, during the first forty years of his life, was the honour of being early appointed Queen's Counsel and the reversion of the office of Registrar of the Star Chamber,[1] which, as dependent upon the death of the existing occupant, seemed, in his own words, like another man's ground mending his prospect but not filling his barn. Year after year we see him in the painful position of a man neither succeeding in attaining office, nor satisfied with-

[1] The income was £1600; but Bacon had to wait twenty years for it.

out it. It is not easy to discriminate exactly between the ambition which aspires to do great things, and the ambition which aspires to give them great authority. Probably these are not altogether separable in any man; certainly they were not altogether separate in Bacon. We may agree with Mr Spedding that "the three great causes" were ever before his mind, without being able to deny that he sought his own advancement along with that of "learning and religious and civil liberty." His contemplative ends were vast, and he desired opportunity and leisure to achieve them; his civil ends may have been moderate, but he could never reconcile himself to surrender them. When the Solicitorship with the Attorneyship was given away from him; when Coke outstripped him in law, and obtained, to his cost, the hand of Lady Hatton whom Bacon wooed in vain, he spoke of himself as "a tired sea-sick suitor," and proposed in some retreat to become "a pioneer in the mine of truth which Anaxagoras said lay so deep." Doubtless he meant if necessary to fulfil the threat; but it was natural for him to be lured from hope to hope. Nothing better represents the impression left by this part of his history than his own similitude: "For, to be like a child following a bird, which, when he is nearest, flieth away and lighteth a little before, and then the child *after it again*,[1] and so on *in infinitum*,

[1] This occurs in a letter to Fulke Greville (afterwards Lord Brooke), the probable date being 1595, and seems to have been first made public in Rawley's 'Resuscitatio,' 1657. It is therefore interesting to find in Shakespeare's 'Coriolanus,' of probable date 1610, a near transcript of it: "I saw him run after a gilded butterfly; and when he caught it, he let it go again; and *after it again;* and over and over he comes, and up again" (Act i. sc. iii.)

I am weary of it." But a smile, a hint, a trifling State commission, or a favourable word, was enough to lead him back to the chase: to the last he talked of "selling off his things and singing a mass of requiem abroad;" to the last he stayed, longing to "serve the Queen in place," and so combine his civil with his contemplative ends.

Debts, which, after the publication of the first edition of the 'Essays' in 1597, led him for a day into a sponging-house—increasing debts, due in part to the somewhat extravagant style of living which he and his brother Anthony on a small income endeavoured to maintain, and to the claims of the Jews who lent money on hopes deferred—made Bacon more intolerant of this suspense. His biographers and critics seem to agree in referring his slow advance mainly to two causes. The first was the lukewarm policy of the Cecils. On the surface he kept on good terms with both father and son; but they seem to have been secretly adverse to his obtaining the Attorney-Generalship, and to have advocated his claims even for the Solicitorship with but indifferent zeal. The other cause of his rejection was the resentment felt by the Queen herself at the part he had played on one memorable occasion of his life. "In the beginning of March 1592-93, he had done a thing which Elizabeth did not choose persons in her service to do. As a member of the House of Commons representing Middlesex, he had taken a leading part in a movement which was decidedly opposed to the wishes of the Government, and ended in the defeat of a project for getting rid of one of the most important privileges of the House." This was an attempt to force upon the Commons a conference with the

Lords on a question of supply. That it was unconstitutional there can be little doubt, and there is as little that Bacon was the main mover of the measures which led to its defeat. At a subsequent meeting he spoke in opposition to the proposed mode of levying the subsidies; and, though this last motion was unsuccessful, it was a heavy aggravation of his former offence. Bacon's other acts of the same period, as his opposition to a bill against recusants, and another introducing some changes in the administration of the Star Chamber, were dictated by a similar spirit. He never apologised for his offence, unless we call such expressions as the following apologetic: "It might please her sacred Majesty to think what my end should be in those speeches, if it were not duty and duty alone. I am not so simple but I know the common beaten way to please. And whereas popularity hath been objected, I muse what care I should take to please many that taketh a course of life to deal with few." He never confesses to have done anything to be repented of, and we are not entitled to assume that, under similar circumstances, he would have deserted principles which he would not disown when his disavowal of them might have secured him both place and profit.

Bacon was ultimately relieved from financial embarrassment by the gradual growth of his professional business, some further Crown grants, and by the gift of an estate, valued at £1800, presented to him by his patron, though seven years his junior, the rising star of the Court, whose acquaintance, made some time before 1592, had rapidly ripened into one of the warmest and most disastrous attachments of our history.

Bacon's conduct to Essex has been the subject of more vituperation than perhaps any other single act of any other single man. It has been denounced as mean and treacherous, dark, mournful, and shameful; it has been used to point half the morals and adorn half the tales against ingratitude for the last two centuries. Mr Spedding has devoted a whole volume to this theme, and arranged the documents relating to the question in a manner which calls for a modification of the popular judgment similar if not equal to that achieved by Carlyle's commentary on the letters of Cromwell. In an age when a good courtier has come to be considered as the reverse of a good citizen, men will continue to wish that Bacon had acted differently; but he must be acquitted of anything like treachery. All that has been said of the generosity of Essex may be said again. The early days of their friendship present us with one of the most pleasing pictures in the history of letters. Bacon gave his patron his time, his good advice, in many papers which are still preserved, the ripe fruits of his learning and his taste. Essex, on the other hand, was in every sense better than his word: on each occasion which offered itself—in the canvass for the Attorneyship, for the Solicitorship, the Mastership of the Rolls, the hand of Lady Hatton—he stood by the friend whose abilities he had discerned with the discrimination of genius, and spent all his "power, might, authority, and amity" in his service. The presentation of the estate at Twickenham was no mere repayment: it was a free and munificent gift. Neither do we see any reason to discredit Bacon's own account of the transaction: "'Now, my lord,' said I, 'I would not have

you imitate his career [that of the Duke of Guise], nor turn your state thus by great gifts into obligations, for you will find many bad creditors.' He bade me take no care for that, and pressed it; whereupon I said, 'My lord, I see I must be your homager, and hold land of your gift; but do you know the manner of doing homage in law? Always it is with a saving of his faith to the king and his other lords; and therefore, my lord, I can be no more yours than I was, and it must be with the ancient savings, and if I grow to be a rich man you will give me leave to give it back to some of your unrewarded followers.'" The same tone of mingled gratitude and reservation comes out at the close of a letter written at the time to Essex himself, which we cannot suspect of being an afterthought: "For your lordship I do think myself more beholding to you than to any other man. And I say I reckon myself as a common (not popular, but common); and as much as is lawful to be enclosed of a common, so much your lordship shall be sure to have."

Diversity of character is, up to a certain point, one of the charms of friendship, but beyond that point it makes friendship insecure. The diversity which, in spite of their common tastes and aspirations, always subsisted between Bacon and Essex, widened as time went on. In essentials they were opposite; the one "deep and slow, exhausting thought and living wisdom," the other "fire and fickleness." Both were ambitious; but their ambition took different courses, the one laying cautious siege to the objects of his desire, the other determining to take them by storm; the politician in the one was even too subtly tempered by the

patience of philosophy, and marred in the other by the enthusiasm of the soldier. Bacon could be content to serve in order to rule: in affairs of state as well as of speculation, he never forgot the meaning of his own family motto, *Mediocria firma*, nor the value of his own canon, *Parendo vincere.* Essex from the first seems to have resolved to be *aut Cæsar aut nullus*, and was bent on making his way to the mastery of the Queen's counsels "by a kind of violence." Bacon's weakness lay in defect of those qualities which make a man popular with his contemporaries; the strength of Essex in his possession of them. The success of the attack on Cadiz, an exploit so rapid and brilliant that it threatened to eclipse the fame of the Armada's wreck, suddenly raised the Earl to the place of a national hero. That it was an attempt which Bacon's caution would not have sanctioned, we may infer from the terms in which he alludes to it as being "infinitely glad now that it was past." His anxiety regarding the effect which it might have on the inflammable mind of Essex is the key to a remarkable but somewhat unsatisfactory letter addressed to the Earl in the October of 1596. Admitting the wisdom of the counsel, "*Attendis ad plura, unum sufficit*—win the Queen," we regret that Bacon should have been led into advising dissimulation as a means to this end. But Essex could neither resign nor consent to share the trophies of a perilous "martial greatness." "His old ambition to outstrip competitors in the race of glory, an ambition not incompatible with magnanimity, was fast degenerating into intolerance of competition, a vice with which magnanimity can have nothing to do." The fact that he

would not permit the capture of Fayal—the only success of "the Island Voyage"—to be recorded, for the sole reason that it was achieved by his rival Raleigh, is enough to justify this criticism, and to lessen the force of the claim that has been made for the Earl's honesty. Essex returned, out of favour, to play over again with Elizabeth the same dangerous game of provocation and reconciliation which he had so often played successfully. He had taken offence at the promotion during his absence of Sir Robert Cecil and the Lord Admiral, and was only induced to reappear at Court after having been created Earl Marshal. Meanwhile the rebellion in Ireland had risen to such a height that it became necessary to take decisive steps against it. Essex insisted on having the nomination of the commander-in-chief of the Irish forces, and pressed his claim so as to lead to another rupture with the Queen. This quarrel had been but imperfectly smoothed over when, in 1599, he was himself nominated to the office, and towards the close of March he set out on his fatal expedition.[1] For errors due to bad generalship he was only responsible as all must be who thrust themselves upon posts they are unfit to occupy; but his disasters began and ended in an utter disregard of the advice which Bacon had offered to him at starting—"That your lordship in this whole action, looking forward, would set down this position, that merit is worthier than fame; and looking back hither, would remember this text, that obedience is better

[1] Bacon seems at first to have dissuaded the Earl from the enterprise, but finding him bent on undertaking it, lawyer-like turned the same historical precedents that he had used on the negative to the affirmative side.—*Vide* Spedding, vol. ii. 127-131, and *inf.*, note to chapter vii.

than sacrifice." Essex left England at the head of an army of 16,000 foot and 1500 horse, and with powers more absolute than had ever been granted on any similar occasion; yet in such an unsatisfactory temper, that he wrote, "I am defeated in England," because his stepfather, and future co-conspirator, Sir Christopher Blount, was not appointed to a seat in the Irish Council. After a campaign of two months, he had, by a series of futile marches and countermarches in Munster, reduced his army to 4000 at the most. In August he spoke of facing the main force of the enemy in Ulster. In September he went to meet Tyrone, the leader of the rebels, agreed to a truce, and consented to propose a peace on terms which amounted to a grant of all the professed objects of the rebellion. Meanwhile, the Queen had, in two successive despatches, forbidden him to return without orders, and demanded an explanation of his proceedings. Shortly after the receipt of the second despatch he started with a force of friends and followers, and on the 28th of September presented himself before the Queen at Nonsuch. The first thing that Bacon heard of the Earl was that he had been ordered to keep his chamber for leaving Ireland without licence. He then lost no time in writing a letter which intimates that there had been no serious alienation between them. After a day or two Essex was removed to York House, where he remained secluded till the 20th of March 1600.[1] To justify his con-

[1] Bacon, who meanwhile was using all his influence in the Earl's favour, was exposed to odium as an agent in his disgrace; but there is no evidence for Dr Abbott's suggestion that he was pleading on his friend's behalf with a view to refusal.

finement to the people, without resorting to a form of prosecution which would have entailed further consequences, it was resolved that the evidence against him should be brought before a special commission; and a comparatively unimportant part of the conduct of the case was assigned to Bacon as one of the Crown lawyers. It does not appear that Essex thought himself injured by this proceeding, and as nothing was imputed to him beyond mismanagement and disobedience, the sentence was confined to a ratification of the steps which had been already taken. During the next three months Bacon was employed in writing and dictating confidential letters, to bring about a more complete reconciliation. Viewed merely in the light of the facts known to the commissioners, the Earl's subsequent conduct is altogether inexplicable. Outwardly he remained quiet at Essex House, importuning her Majesty with romantic professions of attachment: to his more intimate associates he spoke and acted like a man who suffered under some great wrong or was goaded by the consciousness of some guilty secret. The Queen's refusal to bestow on him a renewal of his lease for a monopoly of wines, seems to have produced some change in his manner which led her to take offence at Bacon's continued solicitations in his behalf. In August the Earl began to hold secret meetings with parties of his followers at Drury House. By the end of January 1601 his intrigues had ripened. On the 8th of February 300 of his friends had assembled together, when they were interrupted by the arrival of the Keeper and three other lords, who came to demand the cause of the assembly. For answer Essex imprisoned the whole deputation, and

marched down into the city, vainly endeavouring by a variety of false alarms to raise an insurrection. Finally, after failing in an attack on a body of the royal troops, he succeeded in making his way back to Essex House, where he was surrounded and forced to surrender.

So much is admitted on all hands of an attempt which, regarded by itself, seems the maddest of all the freaks that history has to record. There was evidently something beneath the surface which it was the duty of every true subject, of every legal adviser of the Crown in particular, to aid in discovering. On the 11th of February, while the affair was still a mystery, Bacon, with the rest of the Queen's Counsel, received a commission to assist in the process. It is hard to state at what precise point of the business he should have refused his services. To have declined to sift the evidence would have been abandoning his post, the duty of no *bonus civis*, the rank to which he aspired first, and scarcely of any *bonus vir*, the commendation which he held second. To have refused to report upon the result of the inquiry would have been impossible. To have applied for permission to be absent from the trial would have been dangerous. He might, however, and ought to have declined any leading part in the process and sat silent. Instead of this he twice interposed, to keep the court in view of the main facts of the case, from which Coke's confusion had allowed the examination to wander; and in doing so, exposed, by instances but too appositely chosen, the subterfuges of which Essex was availing himself. Here Bacon laid himself open to the retort ἄλλῳ ἔπρεπεν λέγειν ἃ λέγεις. He may have

felt that there was no one else who could say so well what it was well to say, and that the time had come in which he was called upon to prove, what he had set forth in almost every letter written to the Earl during the last two years, his duty to his sovereign above his duty to his friend. Of "the three unluckiest vices of all others, Disloyalty, Ingratitude, and Insolency," he doubtless held disloyalty to be the most unlucky. "Every honest man," he wrote afterwards, "that hath his heart well planted, will forsake his king rather than forsake his God, and forsake his friend rather than forsake his king; and yet will forsake any earthly commodity, yea, and his own life in some cases, rather than forsake his friend." Yet the retort of the man who had pestered the Queen in his friend's behalf till she bade him "speak of any other subject," preserves its sting. We must, however, remember that, at the date of the trial, Bacon was in possession of evidence calculated to bring about a revulsion of feeling. This evidence, drawn from the "examinations of such as were of the confederacy, all severed in prison, but agreeing in the chief points of their confessions," was more than confirmed by what was afterwards made known by the depositions of several of the conspirators, whose only motive to have departed from the truth must have induced them rather to understate it; and by the revelations made to the Lords of the Council by Essex himself, when in despair he turned upon his associates. Lord Nottingham, writing to Lord Mountjoy, quotes from the prisoner's own lips: "I must confess to you that I am the greatest, the vilest, and the most unthankful traitor that ever has

been in the land; and therefore, if it shall please you, I shall deliver now the truth thereof. Yesterday, at the bar, like a most sinful wretch, with countenance and words I imagined all falsehood." Then he began to lay open the practices for the surprising of her Majesty and the Court. "And now," said he, "I must accuse one who is nearest unto me, my sister, who did continually urge me on." The shifts of criticism that have been resorted to in order to get rid of the concurrent testimony of Blount, Southampton, Danvers, Davies, Gorge, and others, are as curious as they are inconsistent. At one time it is insinuated that the witnesses themselves were perjured, as if men would conspire for their own death; at another, that the evidences were forged by the Government after the execution of Essex; and in the same breath, because for State reasons certain portions of the truth were withheld, that they did not dare to justify it. To this we can only answer, that if these evidences were forged or altered, it must have been done so ingeniously, by a perjury so unanimous on the part of so many otherwise unimpeachable authorities, on so grand a scale, and with so little purpose, that we can never again allow any weight to the evidences of any State trial whatsoever. All we know of what had been known before the trial, combines with all that was made known after it to confirm the veracity of the statement drawn up by Bacon. The only considerable point of discrepancy between the "Declaration" and the unpublished revelations afterwards brought to light, is a discrepancy of date in favour of a more lenient view of the traitor's guilt. No amount of scepticism

will get us out of the difficulty of accounting for the Earl's proceedings from the time he landed in Ireland down to his last trial. Until we accept the evidence of his accomplices and his own reiterated confession, the whole is mysterious; whenever we accept them, the whole becomes clear. That Essex, starting in spleen on a venture which he hoped to make the lever of his own ambition, should, after mismanaging the Irish campaign, form a design of entering into a traitorous correspondence (and that before his authority had received a single affront) may indeed seem strange; but it is proved by an amount of evidence equal to that on which men are hung every year. He had only partially carried out his design when he received a demand for explanation. This induced him to think of returning to England at the head of an armed force: he was persuaded to limit himself to the selection of a few chosen followers, and to rely once more upon arts which for the first time failed him. After his first trial, while he was writing petitions to the Queen, he was renewing secret communications, already opened in Ireland, with the King of Scots. After the rejection of his last suit for favour, he entered into a plot for rousing his adherents in the city, surprising the Court, mastering the guard, and getting hold of the Queen to use her authority for subverting the Government. Neither Essex nor his friends, whose several posts were definitely assigned, could guarantee what the ultimate results of their conspiracy might have been. "I protest," were Blount's words on the scaffold, "that I never, in any of these actions, intended the least diminution of state, or to her Majesty's person; though now I see, too late,

that rather than we should have failed of our purpose, it would have cost much blood, and perhaps have drawn some from her Majesty's own person." Bacon knew a great part, but not the whole, of this at the time of the trial. To attach to him a suspicion of having been implicated in the conspiracy because Anthony Bacon was employed by Essex on some occasions to convey letters to Scotland, is preposterous. There is no evidence of Francis having had any communication with either of them for four months before the outbreak of the insurrection; and had there been any possibility of accusing him, it is improbable the Earl would have refrained from doing so at a time when he was accusing his own sister.

Directly or indirectly, Bacon's pen had been employed to defend the policy of the Government in reference to almost all the alarming designs which, during the ten years previous, had been continually threatening its stability—a delicate service, and one which could not, as Macaulay insinuates, have been safely intrusted to any vulgar scribbler. He had written the famous answer to the 'Responsio ad Edictum Reginæ Angliæ;' he had drawn up elaborate accounts of the conspiracies of Lopez and Squire; he had consented to report the proceedings of the York-House Commission. When it was found expedient to issue the "Declaration," nothing was more natural than that he should be commanded by the Queen to write it. Only those who thought that he ought to have absented himself from the trial could have justified his refusal to give an account of it. It has been said that the guilt of Essex had nothing to do with Bacon's conduct; but it is possible for a man to commit

a crime from the consequences of which past favours cannot relieve him.

Perhaps the fairest summary of the matter is to be found in the following comment of Professor Gardiner: "That the course Bacon took indicates poverty of moral feeling cannot be denied. Yet our sentiment on the precedence of personal over political ties is based upon our increased sense of political security, and is hardly applicable to a state of affairs in which anarchy, with its attendant miseries, would inevitably follow on the violent overthrow of the Queen's right to select her ministers, even if her person continued for a time to be outwardly respected; and it is, at all events, one which Bacon studiously renounced from the very beginning of his connection with Essex." The same critic elsewhere emphasises the fact that Bacon's love of system, one of the many inheritances from former philosophies conspicuous in his own, affected not only his political life, but his personal judgments; that he had set to himself, as a sacred work, the task of helping to maintain the authority of the State; and that, in this light, he regarded as an obstinate criminal any one who, however fitfully or inconsistently, attempted to infringe it. With the conspicuous rebels to this authority, who startled while they, in various degrees, adorned the age, he naturally came into a hostility strengthened if not embittered by contrariety of temperament. Moderate and accommodating political reformers are, in all ages, as averse to the revolutionary spirit as are the keenest conservatives; and Bacon's inner sympathies, as well as the whole tenor of his way, were as alien to the fickle impulses of Essex and the grander impetuosity of

Raleigh as to the stubborn inflexibility of Coke. It was his especial mischance, in furtherance of a course which, however conscientious, was essentially unromantic, to be called on to assist, in turn, in the fall of a benefactor, of a hero of romance, and of a rival whom he notoriously disliked. Still more unfortunately for his memory, the fate of his adversaries, on all these occasions, seemed likely to promote his advancement; for when a man's duty to the State happens to coincide with his own interests, the jealous judgment of mankind is indisposed to give him credit for the higher motive in acting against the interests of others. Scarcely any one has died upon a scaffold for a State offence without gaining for himself, in the minds of those who can sympathise with nothing so well as with misfortune, the reputation of a martyr. Scarcely any man has risen by slow degrees to power, without having to encounter the censure of the majority who resent originality while they outwardly truckle to success; and it is certainly to be regretted that when the minor offenders in the Essex treason were permitted to purchase their pardons, Bacon condescended to accept a share (£1200) of the sum for which they were rated.

The last ten years of his life during the Queen's reign are comparatively uneventful: they are divided between law-practice—which, as distinct from politics and philosophy, was to him always the service of Leah—public life, drafts and sketches of his great scheme, or contributions to it in the form of *opuscula;* finally, a shoal of letters of admirable advice (as that on travel to the Earl of Rutland), or of complaint, intercession, and flattery. Bacon's adulation of the Queen culminates in the quotations from Virgil thrust into a Masque of 1592,

side by side with the noble passage on the praise of knowledge. His appeals to Burghley, though addressed to "the Atlas of this Commonwealth," are comparatively dignified, remarkable for the richness of their imagery, and doubly interesting as conveying the earliest intimations of the writer's philosophical designs. The wise, crafty, but "indifferent honest" old statesman died in 1598, and his son at once stepped into his place as chief adviser of the Crown. The Secretary and Treasurer of that time corresponded to the Prime Minister of to-day: but he was not removable *arbitrio popularis aurœ*, and his position was consequently more secure.

To be "a good hater" requires a passion, other than purely intellectual, of which Bacon was, for good and ill, devoid; but in his life he came near to hating two men, Coke and his cousin. With the former he was comparatively frank, and that he could strike back on occasion is shown in the following account of an encounter with "the Huddler,"—worth quoting as the only instance of a distinct personal altercation in his life,—sent to Mr Secretary, April 29, 1601:—

"*A true remembrance of the abuse I received of Mr Attorney-General publicly in the Exchequer the first day of term; for the truth whereof I refer myself to all that were present.*

"I moved to have a reseizure of the lands of Geo. Moore, a relapsed recusant, a fugitive and a practising traytor; and showed better matter for the Queen against the discharge by plea, which is ever with a *salvo jure*. And this I did in as gentle and reasonable terms as might be.

"Mr Attorney kindled at it, and said, 'Mr Bacon, if you have any tooth against me pluck it out; for it will do you

more hurt than all the teeth in your head will do you good.' I answered coldly in these very words: 'Mr Attorney, I respect you; I fear you not; and the less you speak of your own greatness, the more I will think of it.'

"He replied, 'I think scorn to stand upon terms of greatness towards you, who are less than little; less than the least;' and other such strange light terms he gave me, with that insulting which cannot be expressed.

"Herewith stirred, yet I said no more but this: 'Mr Attorney, do not depress me so far; for I have been your better, and may be again, when it please the Queen.'

"With this he spake, neither I nor himself could tell what, as if he had been born Attorney-General; and in the end bade me not meddle with the Queen's business, but with mine own; and that I was unsworn, &c. I told him, sworn or unsworn was all one to an honest man; and that I ever set my service first, and myself second; and wished to God that he would do the like.

"Then he said, it were good to clap a *cap. utlegatum* upon my back! To which I only said he could not; and that he was at fault; for he hunted upon an old scent. He gave me a number of disgraceful words besides; which I answered with silence, and showing that I was not moved with them."

On this there follows a letter of expostulation, with the significant phrase, "If you had not been short-sighted in your own fortune (as I think) you might have had more use of me; but that tide is passed." Henceforth the relation between the two men is that of undisguised rivalry and mutual contempt, tempered, in the case of the greater, by a just respect for the legal attainments of his adversary. Before Cecil, on the other hand, Bacon crouched; assailing him with the most adroit form of flattery, that conveyed at second-hand; "Let him know he is the person I love most," "All I

have in the world is trash in comparison," &c., besieging him in vain till his death, when the foiled suitor avenged himself on the memory of his ungracious kinsman. In May 1601, Anthony[1] died, and Francis, again succeeding to a small share of a fortune impaired by extravagance, discharged his most pressing pecuniary obligations, and was enabled to redeem the mortgage of Twickenham Park, which he had been previously constrained to convey to his heaviest creditor, Mr Nicholas Trott. In the Parliament of the same year, called mainly for the grant of a subsidy readily accorded in consideration of the Spanish occupation of Kinsale, we find Bacon vainly endeavouring to pass a bill for the rectification of weights and measures, and, with a striking reference to "Time, their true controller," advocating the repeal of practically obsolete or superfluous laws. But the interest of the session centred in the keen discussion of a grievance which twenty years later became the occasion, if not the cause, of his fall.

The question of MONOPOLIES, agitated in various forms in various countries, assumed great prominence under the Tudor dynasty, when the sovereigns made free, sometimes excessive, use of their power to grant or to convey them as rewards for service, or in consideration for equivalents. During the reigns of Elizabeth and James, no privileges were more frequently assailed. The manifest effect of such restrictions being to raise prices, they have been invariably obnoxious to all but the heads of Governments to whom they have been sources of revenue, or to the producers of the protected

[1] For a summary of Anthony Bacon's career and character, *v.* Spedding, vol. iii. pp. 5-15.

articles, a class necessarily smaller than the consumers. Hence, in all ages, the cry of "no monopoly," whether of skilled labour or of land, has been a favourite catch-word; nor have popular reformers always carefully discriminated in arraigning rights which, sometimes arbitrarily conferred, are often legitimately acquired. To the discussion of this as of other matters, Bacon brought his rarely rivalled powers of discrimination. When a bill was brought in to declare "Patents" illegal, he condemned the confusion of things really different—*i.e.*, privileges granted to a man for discoveries "out of his own wit, industry, or endeavour, useful to the commonwealth," and those merely relying on the rarity of any article. Granting that many monopolies had been justly repealed, he maintained that the course suggested was not only inexpedient, but unconstitutional. These grants belonged to the Prerogative, with which we ought to deal not by law, but in case of reasonable discontent by petition. A debate, without definite result, ultimately led to the Queen herself issuing a proclamation, to the effect that abuses would be reformed, some patents revoked, and others suspended for inquiry. Two days after, she gave a State reception to the House; and in this act, the last of her public life, graciously put the seal on her habitual policy of appearing to concede of her will what she refused to the threat of compulsion.

The remnant of the parliamentary year was occupied with minor matters, provisoes about insurances, tillage, and the repeal of an Act for the regulation and superintendence of charities; which repeal Bacon appears to have opposed with an unwonted show of vehemence.

On the 2d January 1602, the news of the defeat by Mountjoy of the Irish army marching to the relief of Kinsale, with the surrender and withdrawal of the Spanish forces, was brought to England. The eight years' rebellion having been crushed, men's minds were directed to the ever-recurring task of settling Ireland. In the early autumn of the year Bacon addressed to Cecil a letter dealing with the constant vexation "of the common woe," as Raleigh called it, in a manner which gives it a prominent place among the State papers of the time. The following sentences are still memorable: "The reduction of that country, as well to civility and justice as to obedience and peace (which things, as affairs now stand, I hold to be inseparable), consisteth in four points: 1. The extinguishing of the relics of the war; 2. The recovery of the hearts of the people; 3. The removing of the root and occasions of new troubles; 4. Plantations and buildings."

On the first head, Bacon recommends that "conditions" shall be made graces by leniency, the avoidance of further bloodshed, or "the displanting of ancient generations," few exclusions from pardon, and "a shadow of a treaty of peace with Spain, which methinks should be in our power to fasten at least *rumore tenus*, to the deluding of as wise people as the Irish." Under the second, he advocates a perfect toleration of religion, hand in hand with liberal educational endowments, the administration for a time of summary justice under martial law—governors and judges being appointed to hear and determine cases at discretion, in a manner as near as might be to the laws and customs of England; —and the contentment of principal persons by rewards.

On the third, he urges restraining the ambition of the sept chiefs, and the prohibition of wild customs, even the savage chaunts of the bards, as dregs of barbarism. Finally, he would encourage colonies, the members to mix freely with the natives, and confer on the joint inhabitants of resettled districts ample liberties and charters under the over-rule of a Parliament in Ireland, the constitution of which, however, he fails to indicate. These suggestions, some applicable to much later times, were only in part adopted; and one unfortunate result of the disorders still prevalent during the next reign was the importation rather of a standing garrison than an English nucleus for the amalgamation of the peoples. At the close of the year, Tyrone sent in his absolute submission, which was, after some haggling, accepted (granting him a free pardon and restoration of lands) by Mountjoy in 1603. Meanwhile, on March 24, Queen Elizabeth had died.

CHAPTER III.

EARLY YEARS OF JAMES I.

1603-1607.

THE Queen would not allow the succession to be discussed; but it had been decided. The remoter memories of the Roses, the later remorses for the interlude of Lady Jane Grey, had made all lovers of stability shrink from a controversy about the throne as from a conflagration; and in this case there were practically no rival claims. The King of Scots was by legitimate, though almost antiquarian pedigree, the heir, already a king, and a Protestant who had ostentatiously discountenanced the "daughter of debate." The expected took place, not only without contention, but with acclaim. The change of dynasty, however, involved a great change of persons. With all Elizabeth's defects, she was royal to the core, steadfast in purpose, fearless though tortuous in act, flattered by foolish men, but wise to choose wise men for her directors. She wore her pedantry like a fringe; it was of th essence of the nature of James. There have been worse sovereigns than the latter, none for whom we have less respect.

Accomplished, widely if not profoundly read, he was, as natural to the pupil of Buchanan, a passable scholar, who had aired his technical logic in early controversy, and desired the credit of seeming to encourage learning. Though disputatious, he was humane by nature, and predisposed to be tolerant of theoretical differences. But there never was a less kingly king, or one who by alternations of bluster and retreat was more distinctly marked as a precursor of revolution. Endowed with a share of the cunning which Bacon has called "a kind of crooked wisdom," the horizon within which he could see clearly was narrower than his palace walls. Distrustful of great designs and those who conceived them, devoid of the sense of proportion indispensable to statesmanship, slow when he should have been swift, hasty when he should have been deliberate, he was unable to discriminate between the claims of liberty and the assumption of licence, and his policy stuttered like his speech. Garrulous and opinionative, as Polonius his dramatic type, he was ever meddling, and never meddled but to muddle or mar. A hare in the seat of a lioness, the solitary coward of his race, he was, granting his doubtful possession of the minor virtues, a contemptible figure,[1] whether slobbering about the infamous Somerset, or shivering in the grip of Gondomar.

This was the man on whom the "lord of those who know" demeaned himself by lavishing the most fulsome adulation that it has ever been the penance of a great

[1] *Vide* Professor Gardiner *passim* for an impartial, though, as seems to me, slightly over-lenient estimate of the King. Mr Spedding's infatuation for Bacon culminates in his palliation of all the miserable failings of James, and his systematic depreciation of Raleigh.

man's biographer to transcribe. Much must be allowed to the fashion of a time when it was as customary to flatter monarchs as it is now to juggle mobs; even more, to the feeling that to impugn the head was to threaten the body of the State. We must further concede to Bacon a half belief in the "divine right" of a king, however unhedged by majesty; his early hopes from one with some reality, if more pretence, of wit and culture, who seemed to come unpledged to any party; his inveteracy in hoping the best. A margin of servility remains, either explanation of which is alike distasteful; for, honest or dishonest, it showed an otherwise incredible weakness of judgment or of character. Bacon's treatment of Essex was nowise treacherous, but it was not noble; his relation to James was ignoble. His complaisance to others had limits,—he could turn on Coke, and remonstrate with Cecil; he never fawned on Carr, and began by being frank to Villiers,—but towards the King it was unlimited. In season and out of season, at the desk, in office and in retirement, his adulations of the pseudo-Solomon are as unrestrained as they are incessant; nor are they left to the reader of his letters, they blot the pages of his noblest work. The question as to their motive has been often raised by preachers prone to take great men for their texts: the favourite answer seems to be that, as Napoleon sacrificed everything to Victory,—armaments, human myriads, honour, himself,—so Bacon was ready to sacrifice everything to Philosophy. This is a half truth resulting from the attempt to analyse what nature had, in a closer than chemical union, put together. The fact is, that Bacon's consciousness of almost boundless powers

was accompanied by an almost physical craving to secure for them ample scope. No great lover of individuals, of whom, despite his affability, he as a rule thought meanly, he had a large foretaste of the modern enthusiasm of humanity, and was a thorough-going patriot. His heart was as much set on establishing on a basis of slowly broadening rights the foundations of the Greater Britain of his dreams as on reading the riddles of the earth and sky. The 'Novum Organum' completed would have been only half the man. When we consider the almost invariable wisdom of his first advices, the grace with which he advocated, when better might not be, the next alternative, and the practical aspect of his far-reaching views, it is scarce too much to say that he had the same right to lay the rafters of the ship of State as of that other vessel which he launched on its longer if less definite voyage. Where he failed, it was, intellectually, from being too bold in argument, too timid in execution; morally, from forgetting that no reform exacts the sacrifice of self-respect. Justly extolled for his knowledge of mankind, he often erred in reading men. From the real Machiavel himself down to such recent types as Bulwer's Riccabocca, those who have talked or written most about "managing" or "using" their contemporaries have seldom been the most successful in doing so. The Ciceros of an age are always the sport of the Antonys.

Bacon gained little directly by his pertinacious pleading. His advancement in his profession was delayed as long as we can imagine possible. To Cecil and Buckingham rather than to him was intrusted the shaping of English policy during the first quarter of the

seventeenth century; and the "wise fool" who sat upon the throne jeered at his philosophy. But from first to last he bated little of heart or hope. With an energy as tameless and shifty, sometimes as shameless, as that of Defoe, he went on planning, finessing, canvassing, advancing, retreating and again advancing, suggesting measures, compromises, treaties, wars, gathering and scattering pearls of practical wisdom, and building his temple of science, to the close. Bacon never applied for any post which he was not well fitted and entitled to fill; but the manner of his "working" men in order to attain his end was sometimes questionable.[1]

On the change of monarchy, his self-assertion is marked by precipitation, in applying for advancement while the Queen was still on her deathbed; by audacity, in his addresses to former accomplices of Essex. To Sir John Davies, who had been in prison, he appealed to repress any "biting or nibbling" at his name, concluding with the much-canvassed phrase, "be good to concealed poets." He strove in vain to ingratiate the Earl of Southampton — still in the Tower, from which he was shortly liberated—with the confession, "it is as true as a thing God knoweth, that this great change hath wrought in me no other change towards your lordship than this, that I may safely be now what I was truly before." Similarly, he says to the Earl of Northumberland, "I am a witness to myself that there hath been covered up, a long time, a seed of affection and zeal

[1] The most nearly disreputable instance was his attempt to obtain the Mastership of the Rolls, in return for a transference to the Lord Keeper Egerton's son of his reversion of a Clerkship, then held by a man who seemed likely to be tried for culpable mismanagement by Egerton himself.

towards your lordship, won by the estimation of your virtues." To David Foulis, formerly James's ambassador in London, and Bruce, the Abbot of Kinross, he quotes the great opinion entertained of them by his brother, whose services in the ambiguous Scotch negotiations are now paraded. James himself he compliments with the assurance that "the lily of the mountains is more exalted than that of the valley," and that the greatest happiness of Elizabeth was having such a successor, adding, in a strain that sounds like the litany: "Most high and mighty king, my most dear and dread sovereign lord,—Since now the corner-stone is laid of the mightiest monarchy in Europe; and that God above, who is noted to have a mighty hand in bridling the floods and fluctuations of the seas and people's hearts, hath, by the miraculous and universal consent in your coming in, given a sign and token what He intendeth in the continuance; I think there is no subject of your Majesty's who loveth this island, and is not hollow and unworthy, whose heart is not set on fire not only to bring you peace-offerings to make you propitious, but to sacrifice himself a burnt-offering to your Majesty's service, amongst which number no man's fire shall be more pure and fervent than mine"—which must suffice as a specimen of innumerable splendid passages similarly wasted.

That Bacon believed there would be a change for the better under a monarch of whom his first impressions had been really favourable, may be granted. He appears to have written sincerely to his intimate and lifelong friend, Toby Matthew: "Here be two extremes. Some few would have no change — no, not reformation. Some would have much change, even

with perturbation. God, I hope, will direct this wise king to hold a mean between reputation [? reformation] enough and no terrors. In my own particular I have many comforts and assurances; but in mine own opinion the chief is, that the canvassing world is gone and the deserving world is come." He was soon, however, disabused of the hope of any present favour, save being confirmed as one of the learned Counsel, obtaining in 1604 a patent as King's Counsel with a pension of £60, besides the honour of knighthood, bestowed, despite his urgent request, "gregariously," along with three hundred others, two days before the coronation. The draft proclamation which he had submitted was set aside, and for several years he had little part in State affairs: he is merely mentioned as an auditor at Raleigh's first trial, and his name does not appear at all in the proceedings consequent on the Gunpowder Plot. His first step towards advancement was in 1606, when the Attorney-Generalship, vacant by Coke's promotion to be Chief Justice, was given to Sir Henry Hobart, and Sergeant Doddridge was appointed Solicitor, with the reversion of his office promised to Bacon. To the same date belongs the only other incident of interest in his life during this period, his marriage to Alice Barnham, an alderman's daughter, who brought him a moderate fortune, with a troublesome father- and mother-in-law whose termagant lawsuits helped to vex his later years. Otherwise his domestic life, entered on with the calmness of a man almost perfectly passionless, and with the business precision that belongs to many of the alliances of the age, seems to have been a smooth one till near the close. The marriage was celebrated with

characteristic pomp on the 10th of May. Dudley Carleton, on the following morning, writes of the bridegroom: "He was clad from top to toe in purple, and hath made himself and his wife such store of fine raiments of cloth of silver and gold that it draws deep into her portion."

The incident, trivial in itself, throws a side-light on a weakness which, though not, as absurdly maintained, the key to all the troubles of Bacon's life, certainly added to them, and was one of the proximate occasions of his fall. The love of show, even in the somewhat childish form of fine dress, is, as evinced by the record of George Herbert at Cambridge and others, less inconsistent with nobility of character than popular talk would indicate; and it is to be remembered that the fashions of the age contributed much to foster it. The ostentatious splendour of the Elizabethans was one cause of the Puritan reaction, as that of a later time led to the equally ostentatious simplicity of the Quakers. With the former, everything was pitched on the grand scale, and the same profusion which contributed to the "large utterance" of their style, showed itself in luxurious equipages, gardens, decorations, masques, and feasts. This tendency Bacon shared to the full; he had in him little essentially of his mother's Puritanism. His manner of thinking, writing, living, was of a piece, magnificent rather than severe, natural to a man who set the price of the carbuncle above that of the pearl. Extravagance, if a minor vice, is one of the most difficult to cure, and he always sets himself rather to find means of meeting his expenditure than to reduce it. Consequently, though then in the enjoyment of a fair income,

we find him still in the opening years of the century harassed by debts, a memorandum of which, amounting to £3700, he sent to Cecil in 1603, in applying to him for some loan to prevent a second arrest.

To his cousin, who became Lord Salisbury in 1605, Bacon continued to appeal, with every apparent confidence in his good intentions and every expression of personal and public attachment; but Cecil, though uniformly courteous, obstinately refused to listen. That he had reason to doubt the sincerity of these protestations is evident from the severe, though in some respects accurate criticisms, passed after his death. The jealousy resulting from a latent consciousness of Bacon's superior powers may have played its part; but as much may be set down to the radical difference in their characters. Cecil, as Professor Gardiner admits, though "within the sphere of his vision unrivalled by the statesmen of his day," was himself without a spark of genius, or sympathy with it, and the two greatest men of action of the age were probably his secret bugbears. All three had the interests of the realm at heart, but their ideas of advancing them were opposed: the ambition of Raleigh was to extend its bounds; of Bacon, to reconcile King and people in a large tolerance of creeds and gradual reform; the duty of the comparatively narrow-minded Secretary, with whom lay the power, was to regulate its finances, strike bargains between sovereign and subject, and enforce against recusants in religion or politics the laws whose administration he inherited from his father, Lord Burghley.

That Bacon's prospects were marred by his part in the trial of Essex has not been shown: that he feared

they might be, or was disturbed by floating criticisms, is evident from the "Apology" addressed in 1604 to Mountjoy. It is, as the title implies, an *ex parte* statement, and open to the charge of occasional inaccuracy in details, but not more than may be accounted for by lapses of a memory often found similarly wanting. As regards the reception of this widely circulated paper we have no direct evidence. It called forth no reply, and its silent acceptance by a nobleman who was an intimate, if not confederate, of the unfortunate earl, encourages us to hold that it nowhere seriously perverts the truth. At all events, the feeling against the writer, whatever its extent, seems to have gradually died. His position at this time is tersely defined by an historian who is not misled by Bacon's own renunciations of political life, in the "winters of his discontent": "At the commencement of the session (1604) he stood high in the estimation of his contemporaries. Two boroughs had elected him as their representative. His fellow-members showed their appreciation of his abilities by intrusting him with the greatest share in the most weighty business. Scarcely a committee was named on any matter of importance on which his name did not occur. . . . If a conference was to be held with the House of Lords, he was almost invariably put forward to take a leading part in the argument. Nor is this to be wondered at: . . . at this time all his opinions were in unison with those of the House itself. . . . Yet with all this he was a dissatisfied man. He had now reached the mature age of forty-four, and he had long been anxious to be in a position from which he might carry out the great policy—toleration in the Church and reform in the State—which he knew to

be necessary for the wellbeing of the nation. The new King had looked coldly upon him; . . . he was not admitted to any participation in the affairs of Government."

It is satisfactory to reflect that Bacon won as much of James's favour as he ever attained, by his firm yet temperate advocacy of a measure which he thoroughly approved. The UNION of the crowns of England and Scotland naturally suggested a further consolidation of the kingdoms, and the first five years of the new reign were largely devoted to discussions on adjusting the relations and assimilating the laws of the two countries. That Bacon was sensible of the difficulties in the way appears from his remark to Northumberland, after his brief interview during the royal progress south: "The King hasteneth to a mixture of both kingdoms and nations faster perhaps than policy will conveniently bear;" but he pressed for the Union as a near end, and in 1603 addressed to James, on the subject, a philosophical discourse abounding in those analogies, sometimes pushed to the verge of phantasy, by which he so often expressed his belief in the harmony of the universe. There is, he contends, "a consent between the rules of nature and the true rules of policy; the one being nothing else but an order in the government of the world, the other an order in the government of an estate." He then dwells on the difference between mere transient compositions and the perfect mixtures, like that of earth, water, oil, in the vegetable and mineral world, or of the races slowly but continuously naturalised, under the Roman Government, in the political; adding: "*Compositio* is *opus hominis, mistio opus*

naturæ. . . . It is the duty of man to make a fit application of bodies together, but the perfect fermentation and incorporation of them must be left to time." Hence, while between the realms there is already one speech, and there may well be one name for the united monarchy, destined to a greatness in modern times unparalleled, we must not too closely insist on an exact identity of laws. "*In veste varietas sit, scissura non sit.* . . . Manners and consent in them is to be sought industriously, but not to be enforced. For nothing amongst people tends to so much pertinacity in holding their customs as sudden and violent effort to remove them."

With more practical detail and illustration, by speech and document, Bacon continued, during the three following years, to press the same arguments. In his "Articles touching the Union," drawn up in 1604, referring to the King's "heroical desire to reduce the kingdoms into unity," he subjoins: "Whereas as I would gladly sing aloud, *Sic itur ad astra*, so in a more submissive voice I must necessarily remember unto your Majesty that warning or caveat, *Ardua quæ pulcra.*" On the 20th October, James, adopting the famous nomenclature evidently suggested by his adviser, assumed "the stile and title of King of Great Britany"; and when a joint commission met to arrange the terms of Union, they came to an almost unanimous agreement. The majority of the Commons were prevailed on to entertain the naturalisation of all subjects of the Crown, *post-nati* and *ante-nati* alike; but the King's obstinate claim to confer it, *proprio motu*, roused to resistance the commercial conservatism which, with other prejudices, reli-

gious differences, and events consequent on the Civil War, deferred for a hundred years the amalgamation of the realms. Fear of free competition, whetted by jealousy of favourites, was at first the ruling motive of the opposition: it found violent voice in the Parliament of 1607, when one member arraigned the Scotch as a nation of beggars, and another compared them to famished cattle about to be let loose on a rich pasturage.

Bacon's reply to invectives which anticipated those of Cleveland, Churchill, and Johnson in later generations, is notable as conveying the same view of "the greatness of nations" set forth in his Essay. After contending that there is no glut of inhabitants in England at large —none certainly that her insular position and the invitation to emigrants of the "desolate and wasted kingdom of Ireland" do not enable her readily to dispose of—he demands: "What is the worst effect that can follow of surcharge of people? Look into all stories, and you shall find it no other than some honourable war for the enlargement of their borders. . . . *Omne solum forti patria* was spoken indeed of the patience of an exiled man; but it is no less true of the valour of a warlike nation." Finally, contrasting the Roman with the Spartan policy towards naturalisation, and appealing to the great results of uniting kingdoms in Spain, France, and England itself, "now so strongly fused that we scarce know whether the Heptarchy were a story or a fable," he sums up the benefits of Union under the two heads of surety and of greatness:—

"*Testudo intra tegumen tuta est.* But if there be any parts that lie open they endanger all the rest: the French and the Spaniard, both these had, as it were, their several

postern gates, whereby they might have approach to annoy us. France had Scotland, and Spain had Ireland. . . . That of Scotland is cut off by the union. . . . So much for surety. For greatness, I think a man may speak it soberly and without bravery that this kingdom of England, having Scotland united, Ireland reduced, the sea provinces of the Low Countries contracted [*i.e.*, entering into a contract], and shipping maintained, is one of the greatest monarchies, in forces truly esteemed that hath been in the world; if indeed we shall refer our counsels to greatness and power, and not quench them too much with consideration of utility and wealth. For was it not, think you, a true answer that Solon of Greece made to the rich King Crœsus of Lydia, when he showed unto him a great quantity of gold that he had gathered together in ostentation of his greatness and might, . . . if another come that hath better iron than you, he will be lord of all your gold? Neither is the authority of Machiavel to be despised, who scorneth the proverb of estate, taken first from a speech of Mucianus, that moneys are the sinews of wars, and saith there are no true sinews of wars but the very sinews of the arms of valiant men. . . . Methinks we should a little disdain that the kingdom of Spain . . . should of late take unto themselves that spirit of a monarchy in the West, according to that device, *Video solem orientem in occidente*, only because they have ravished from some wild and unarmed people mines and store of gold; and on the other side, that this island of Brittany, seated and manned as it is, and that hath, I make no question, the best iron in the world—that is, the best soldiers of the world—should think of nothing but reckonings and audits."

Lord Bacon did not write Shakespeare's plays; but there is something startling in the like magnificence of speech in which they find voice for sentiments, often as nearly identical when they anticipate as when they contravene the manners of thought and standards of action that prevail in our country in our age. They

are similar in their respect for rank and dignity, in their belief in royal right divine, in their contempt for the *vulgus mutabile*, depreciation of the merely commercial, and exaltation of a military, spirit; above all, in their view of the duty of Englishmen to knit together the forces and extend the bounds of—

> "This royal throne of kings, this sceptred isle,
> This earth of majesty, this seat of Mars,
> This fortress built by Nature for herself
> Against infection and the hand of war,
> This happy breed of men, this little world,
> This precious stone set in the silver sea."

The above and numerous other passages show that neither the statesman nor the poet had, for good or evil, more share than any other Elizabethan, of our recent sometimes quixotic cosmopolitanism.

Prominent among Bacon's virtues were tolerance and humanity; but he was never disposed to stretch abstractions against a present good to the State. Generally contending for a relaxed penal code, he was willing to apply it, with almost obsolete rigour, in cases of treason. His advocacy of the Union rested less on the desires of either peoples than on the strengthening of the kingdom. Similarly, when the "Irish plantations" came to be definitely discussed, he made comparatively small account of the old inhabitants. At the close of Mountjoy's successful campaign there was a lull in the storm; but, under his successors, the smouldering ashes in that inflammable soil had been rekindled, and renewed rebellions had opened men's eyes to the necessity of taking steps for a more permanent pacification. New settlements (1607-1608) were resolved

on. Two modes of effecting these were advocated: one by Chichester, the new Lord Lieutenant; the other by a body of commissioners sent out to examine the matter. I take, in this instance without full agreement, a few sentences from Professor Gardiner's statement of the point at issue. It being on both sides agreed that the new population should be composed of retired Crown servants and of Scotch and English colonists,

"Chichester would have treated the Irish as possessors of the soil. . . . The commissioners were ready to look upon the map of the north of Ireland as if it had been a sheet of white paper. . . . If the plan of the deputy were carried out, Ireland would be left in the main to its own inhabitants, and the English Government would have limited its interference to salutary control and education. . . . If the scheme of the commissioners were adopted, Ulster was doomed to a confiscation which would hand it over to an alien race. . . . Even the man of transcendent genius, who was ready to give his advice on the subject, failed to grasp the real bearings of the case. . . . Bacon . . . above all things hated anarchy, and the proposed enterprise was welcome to him as the heaviest blow that had yet been dealt to the chronic anarchy of Ireland. By the side of such a work he looked upon the Virginian colony as upon the romantic achievements of Amadis de Gaul when compared with the deeds narrated in Cæsar's 'Commentaries.'"

Whether Bacon or his critic has taken the sounder view of the colony which remains the best hope for Irish loyalty, depends on the extent to which a half-barbaric race can be trusted with self-government.

We must now revert to the position which Bacon, under the new reign, had taken up with regard to the two great questions that directly lay at the root of the

strife already on the horizon of English politics—a strife which he clearly foresaw.

Shortly after his accession, James found himself called on to deal with the two extreme religious parties of the State, both of which had been coerced by the rigid determination of Elizabeth to enforce the whole doctrine and discipline of Anglicanism. For a time it seemed as if the hopes of both parties were, under the new *régime*, to be fulfilled. The tolerance of James was genuine: he had none of the zeal of bigotry, nor the Queen's natural dread of the sectaries on either side who had distracted England during the reigns of her immediate predecessors; he had read more than enough to know that wise men and loyal citizens had been of various theological opinions; his love of disputation itself involved an admission of somewhat wide limits for its exercise; his birth and marriage to Anne of Denmark led him to be regarded with complacency by the Catholics; his education, by the Puritans. Early in his reign the discovery of a plot (Watson's) by one of the Jesuits themselves led to the resuscitation of the recusancy fines against them; and later in the same year, on the presentation by the ultra-Protestants of a petition for certain reforms, he had made arrangements for a conference on the mooted points. On the meeting of this assembly there seemed a fair prospect that the policy of concession, inclusion, and freedom of opinion to all whose civil allegiance was assured, would be preferred to that of repression and the enforcement of a strict conformity.

On this policy, Bacon, as we have seen, had vainly insisted during the previous reign. He returned to its

advocacy in a paper "to the King, at his first coming in," entitled, "Considerations touching the better Pacification and Edification of the Church," printed in 1604. This paper, a sequel to that of 1589, follows on the same lines. The spirit in which the two are written is identical: both may be compared with the Essay of 1612 on "Unity in Religion": both are more Erastian than Puritan at heart. The difference is, that in the latter the suggested concessions to the Nonconformist party are more numerous and definite. Bacon, starting with the principle, applicable alike to civil and sacred government, that wise rulers "ever hold the whole more dear than any part," protests against extremes—"Some, averse to change, protect the evil by the good; others speak as if their scope were only to set forth what is good, and not to set forth what is possible; which is to wish and not to propound." There follows a reminiscence of the Marprelate pamphleteers, with the expression of dislike of all "immodest bitterness, peremptory presumption, and popular handling."

In answer to those who maintain that there should be no innovation in the Church he quotes the precept, afterwards made a rubric of his 'Organum,' *State super vias antiquas, et videte quænam sit recta et vera, et ambulate in eâ*, emphasising the second clause—

"If man shall not by his industry, virtue, and polity, as it were with the oar row against the stream of time, all institutions and ordinances, be they never so pure, will corrupt and degenerate. Why should the civil state be restored by good laws every third or fourth year, and the ecclesiastical receive no alteration for five-and-forty years? . . . They may as well tell me that churches and chapels need no reparations, though houses and castles do."

The time, he contends, is good for reasonable reforms; for the spring of kingdoms is to the renovation of policies as that of the year to bodies natural. He then recurs to his refrain, "One faith, one baptism, not one hierarchy, one ceremony;" and passes more than formerly into the consideration of details. The suggested modifications are mainly interesting as showing how far, when untrammelled, Bacon was prepared to go. His concessions, all in the direction of simplicity and liberty, are in every instance too carefully guarded to have satisfied the Puritan demand; but if the King and his other advisers had gone as far, the Puritan catastrophe would at least have been delayed.

"Nothing," he afterwards wrote in his 'Essays,' "doth so much keep men out of the Church, and drive men out of the Church, as breach of unity. And therefore, whensoever it cometh to that pass that one saith, *Ecce in deserto*, another saith, *Ecce in penetralibus*—that is, when some seek Christ in the conventicles of heretics, and others in an outward face of a Church, that voice had need continually to sound in men's ears, *Nolite exire*—Go not out." This is the voice, that of a modern Broad Churchman born prematurely in the sixteenth century, with which Bacon speaks in his message of pacification, dwelling more on his one aim to give the Church of England widely sheltering wings, than on his other to soften the severity of her countenance to those without the fold. This paper, as the essay, is a plea for unity procured without "dissolving or defacing the laws of charity" on the one side, or of "human society" on the other; above all, without taking up "Mahomet's sword or the like of it, . . . dashing the first table against the

second, and so considering men as Christians, as we forget that they are men, which is to bring down the Holy Ghost, instead of the likeness of a dove, in the shape of a vulture and a raven."

Here, as elsewhere, he approves of government by bishops, but with limited powers. They should act, not as autocrats, but as the Bishop of Rome with his cardinals, in council or convocation. Absolution he is inclined to disallow, and excommunication save in causes of the greatest weight. Of private baptism by laymen he disapproves; but thinks the ring in marriage unessential, and holds that the use of the cap and surplice, "things in their nature indifferent, and yet by some held to be superstitions, falls within the compass of the rule that the stronger do descend and yield to the weaker. . . . For the subscription, it seemeth to be in the nature of a confession, and therefore more proper to bind in the unity of faith . . . than for rites and ceremonies." As to the liturgy, whose action he regards "as high and holy as that of the sermon," he deprecates reverence being withdrawn from it by inveighing against a dumb ministry. "The house of God is called that of prayer, not of preaching. . . . The best actions of His worship may be extolled excessively. As the extolling of the sacrament bred the superstition of the mass, of the liturgy and prayers that of the monastical orders and oraisons, so no doubt preaching may be magnified . . . as if all the whole body of God's worship should be turned into an ear."

Music is a proper part of worship. "That there should be singing of psalms and spiritual songs is not denied," and the grave sound of the organ is a better

accompaniment to the pause for meditation after reading the Word than a still silence. But in "more pompous times" too many figures of music have been added to the primitive simplicity. Bacon would revive the old custom of ministers meeting on week-days in some town to exhort and expound the Scripture, known as "prophesying"; but on the express condition that they be specially educated and trained and found capable. "For God forbid that every man that can take unto himself boldness to speak an hour together in a church upon a text, should be admitted for a preacher, though he mean never so well"—adding with a touch of humour, "I know there is a great latitude in gifts and a great variety in auditories and congregations, but yet there is an *aliquid infimum* below which you ought not to descend."

The prospects resting on this and similar overtures were blighted by the bad tactics of the extreme parties, and by the temper of the King. One condition of the success of a concession is, that it shall be well received, accepted with at least a show of grace, and not too ostentatiously vaunted as a mere instalment of rights deferred; moreover, that too much advantage shall not be taken of the liberty which it confers. This rule of policy, if not of principle, was, at this crisis, set at nought by those most interested in preserving it. The Catholics, the pressure on them being relieved, poured into the country in such alarming numbers, and set about the work of conversion with such untimely zeal, that the King, urged on by the strong anti-Romanist party in Parliament, was induced to issue a decree for the banishment of the priests. A new Act against recusants (1605) was passed which, after much reluctance on the

part of James then engaged in carrying on hopeless negotiations with Rome, was put in force. The Gunpowder Plot had the effect which, in days before Englishmen had been found to make yielding to outrage a maxim of state, naturally attended overt acts of violence failing of complete success. The intended assassins discredited the whole party to which they belonged, and men again losing the sense of security that alone makes tolerance possible, called for and obtained new repressive laws, stricter oaths of allegiance, and severer punishments. For the rest of the reign the period of Protestant forbearance was at an end. Nor was the event of the struggle on the other side of the field on the whole more favourable. The Puritans made no more profession than the Jesuits did of any wish to extend to others the charity they demanded for themselves; neither, on the other hand, did the leading representatives of the High Church party. Accordingly, at the Hampton Court conference, they met to clash rather than to be reconciled. Bancroft, for the bishops, assuming the authority of divine right, insisted on subscription to new and more rigid articles; while Reynolds, representing the extremer Nonconformists, declaimed like a Fifth-monarchy man, and pulling the bishop's sleeves, told him they were "rags of Popery." Little was to be expected from such a discussion. To the King's credit it must be admitted that on many points he held the balance with a fairly even hand between the disputants; but led away at last by his own verbosity and love of dictation, he lost his temper and cut the matter short with, "*Le Roi s'avisera*," declaring as regards liberty in ceremonies, "I will have none of that: I will have

one doctrine, one discipline, one religion, in substance and ceremony." A few demands were granted, the most important, that for a new revision of the Bible, resulting in the great standard of 1611; but the Nonconformists were made aware they would get no more concessions from the King, who had definitely cut himself adrift in Church matters from the policy of Bacon and adopted that of Elizabeth. His violence, set in a new direction, showed itself most conspicuously in the famous persecution, in 1606, of the Scotch ministers; when the pupil of Buchanan paved the way for the attempt to force the doctrine and ceremonial of Laud on the countrymen of Knox.

There is little more of consequence to record regarding Bacon's views of religious policy. His 'Essays' and passages in the 'De Augmentis' show that his ideal of the relations of Church and State never underwent any serious change; but his standard of what was practically attainable for England in his time, may have been lowered. The uncompromising spirit of Catholic and Puritan alike—the one rising into treason and keeping up a constant threat in our relations with foreign Courts, the other tending to become more rancorous under disability—may have, in a minor degree, wrought a change in the mind of the philosopher similar to that which it effected in the theory and practice of the once tolerant King. In the minds of most men, a policy proved futile is apt to be discarded with a feeling approaching to disgust. But in politics, as in philosophy, Bacon was never content to surrender his designs or to lay them aside; when the best course failed, he was ever ready to throw the same energy into the prosecution

of the second best. At the opposite pole from those who draw a hard and fast line between principle and expediency, expediency became to him a new principle in default of the old. Disappointed in his endeavours to establish a tolerance only attained in England after the lapse of two and a half centuries, he set himself to advocate as much of it as the King and his other advisers, and perhaps the influential majority of the nation, would permit. It was not in his nature to lead forlorn-hopes; and in addressing himself to Villiers in 1616, he naturally warned him against vainly endeavouring to fly in the face of his master's prejudices. Hence, in his letter, he dwells on his Majesty's authority as Defender of the Faith, and advises the favourite to be no instrument to countenance the Roman Catholics, to whom he was of kin, and to be on his guard against the innovations of sectaries on the other side, whom "a little connivance sets on fire." "Men," he says, "are naturally over prone to superstition: the true Protestant religion is settled in the golden mean; the enemies unto her are the extremes on either hand"—an assertion which even now is capable of defence. The other counsels in the same paper,—as to prefer none to places in the Church "for any respect, but only such as for their learning, gravity, and worth" are deserving; to cherish schools and colleges; to revert, when possible, to the primitive institution of a Church which he will not say is *jure divino*, but nearest the apostolical truth—concede less to the partialities of the sovereign than was often his wont: they convey the sentiments of an accommodating and reconciling statesman, rather than, as has been said, of a converted courtier.

Bacon followed a similar course with regard to the early phases of the great dispute about the respective limits of the royal and popular power, which ran through this reign and culminated in the next. We have seen that the first step in the gradual passage of feudal into modern England was the assumption by the Crown of many functions of government in earlier ages divided with the nobility; that the Tudors were aided in this by the critical circumstances of the time, by the force and decision of their characters, and the common-sense which, in the case of the Henrys and Elizabeth, underlay their arbitrary tempers. In the opening years of the seventeenth century men were less tolerant of abuses grown out of date, while the respite from dangers at home and abroad left them more free to concentrate their energies on reforms become urgent. The King, whose learning was without tact, came to the throne in utter ignorance of the spirit of the times: on every occasion that offered, he arrogated to himself with garrulous insistance more direct authority than had been exerted by the most warlike and imperious of his predecessors. His claim to be above law [1] brought him into hostile contact with two classes of men—the leaders of the popular party in the House, and the common-law judges led by Coke, who, with even greater right and knowledge, resented so preposterous an assumption. Between these and James, Cecil and Bacon both strove to effect an accommodation, but in different ways,—the former by arranging definitely the terms of some compromise, the

[1] *Vide* account of interview with Coke, Gairdner, Hist., vol. ii. p. 39: "Then," said the King, "I shall be under the law, which is treason to affirm."

latter by leaving open the abstract principle and inducing the King to give way, as by his own free will, on some of the points at issue. The conflict of Prerogative and Privilege emerged soon after the meeting of the first Parliament in January 1604, when Sir Francis Goodwin, whose election had been declared illegal, was, notwithstanding, ordered by the Commons to take his seat. The question of the right of the House to judge exclusively of its own returns being thus raised, the King took the adverse side and ordered a conference with the judges. The influence of Bacon, after much tedious dispute, procured an adjustment, in terms of which a writ was filed for a new election, and the right of the House for the future conceded,—a result conciliatory to all concerned, and conspicuously creditable to the tact of its chief promoter.

Dean Church, one of Bacon's severest critics, has admitted that "he never wavered in his loyalty to his own House, where it is clear that his authority was great," and that in dealing with the Commons his policy was "to be content with the substance and not stand on the shadow." But he was led into concessions which, though designed to be nominal, resulted in the policy of always siding with the King when a dead-lock arose. Foremost in the list of grievances presented in this first session were those relating to WARDSHIPS, offices given, with or without an equivalent, to royal favourites, who were often tempted practically to plunder the minors indiscriminately intrusted to their keeping. Next came PURVEYANCES, rights or allowances similarly granted to persons who, under pretext of providing means for State services in the provinces, exacted taxes, in kind, from

the inhabitants, like those levied by the Roman proconsuls. The latter injustice, akin to that which would be felt in our days if a railway company were empowered to cut down without compensation the trees of an ancestral park, was assailed with peculiar bitterness by the upper middle class, then and long after the mainstay of the House. Throughout this controversy, bating the inevitable loyal professions, Bacon adhered to the popular side; and without any absolute concessions being wrung from the Crown, the more glaring grievances were redressed.

On another question in which he was engaged, the results arrived at were less satisfactory.

Local government—*i. e.*, power, within still contested limits, given to resident magistrates to decide on matters affecting their town or county—is in our times a popular cry; for the magistrates, supposed to be better versed in local affairs than higher functionaries at a distance, are elected by and responsible to the people. Local government was, on the other hand, under the Tudors, an extension of the prerogative and an object of popular attack; for the jurisdiction of the courts exempt from the control of law officers in London was vested in landlords or noblemen appointed by and directly subordinate to the Crown. The imperfect amalgamation of the kingdom, down to the close of the sixteenth century, justified the delegation of considerable powers to the courts of such outlying districts as Yorkshire and Wales. These regions still, in some respects, resembled Crown colonies, or inland islands, peculiarly governed from distinct centres. The differences arising from the existence of such an *imperium in imperio* related either to

the legal sphere of the local jurisdiction or to its area. On the latter point, the conflict arose when, in 1604, an appeal against the jurisdiction of Lord Zouch, President of the Court of the Marches (*i.e.*, the four English counties bordering on Wales), was presented to and confirmed by the King's Bench. The dispute continued, with wavering interventions of the Privy Council, till in 1606 it came before Parliament and was there argued as a question of the prerogative. In this matter, with some concessions regarding the exaction of fines, &c., Bacon gave his whole weight to the royal side. Insisting on the need of local courts to deal with the affairs of a turbulent border-land, and plausibly maintaining that "the power of the gentry" (whom the locally placed royal courts restrained) "is the chief fear and danger of the good subject in these shires," his argument on this occasion practically prevailed, though the matter came up again and again—1610, 1614, 1617—for renewed discussion. The full jurisdiction, liable to practical checks, given to the English border shires, as to Wales, was one of the customs which the revolution of the next reign swept away. The question is interesting to Bacon's biographer as having evoked the most explicit of his declarations in favour of divine right:—

"The king holdeth not his prerogatives of any kind from the law, but immediately from God, as he holdeth his crown. . . The State, whose proper duty and eye is the general good, and in that regard the balancing of all degrees, . . . will happily consider this point above law, that monarchies in name do often degenerate into aristocracies, or rather oligarchies, in nature by two insensible degrees. The first is, when prerogatives are made envious or subject to the construction of laws. The second is, when law as an oracle is

fixed in place. . . . God forbid that we should be governed by men's discretions and not by the law; for certainly a king that governs not thereby can neither be comptable to God for his administration, nor have a happy and settled reign. But God forbid also, upon pretence of liberties or laws, government should have any head but the king."

In endeavouring to summarise Bacon's contributions of this period to the history of the time, we have been looking at only half his life. To most men the labour involved in the public tasks he had undertaken, and in great measure executed, would have been employment enough. But his energy was supernatural, and finding no meaner vent in the dissipations of the passions, it was wholly bestowed on intellectual achievements. Had Bacon never written a line of philosophy, he would already have established a claim to be regarded as one of the foremost lawyers and most active speakers of his age. But the respite from official responsibility allowed during these years, gave him an opportunity of making some progress in the design which, according to Mr Spedding, he had first definitely entertained in 1603, of throwing his thoughts on speculative matters into popular form, and inviting the co-operation of others to make them practical. With this view he published his 'Proem on the Interpretation of Nature,' and about the same date wrote the 'Valerius Terminus.' In 1605 appeared the two books of 'The Advancement of Learning,' by which, next to the 'Essays,' he is best known to the literary world. This was introduced by letters to the Lord Chancellor Egerton (to whom he wrote shortly afterwards suggesting a History of Great Britain), Sir Thomas Bodley, Lords Buckhurst and Salisbury,

through whom he obtained permission to dedicate the work to the King. In 1606 he proposed to Dr Playfair, Margaret Professor of Divinity at Cambridge, to have it translated into Latin; but the scheme fell through till it was expanded in the 'De Augmentis.' A little later came the 'Cogitata et Visa,' and an Essay to the Provost of Eton on the "Helps to the Intellectual Powers." When we add that the writer was at the same time engaged in enlarging and supplementing the early (1697) edition of his 'Essays,'[1] the list will appear sufficient to have exhausted any ordinary industry during four years. Bacon was no more half-hearted in politics than Milton was; but both men, feeling other calls, were apt to weary even of the strife they loved; and as the one, in the midst of his battle with the bishops, complains of having "the use only of his left hand" and laments the loss of his "singing robes," so the other, with his perpetual refrain, *multum incola fuit mea anima*, reverts from planning colonies and adjusting rival claims, to his self-imposed task of laying the foundations of a State greater even than his larger England, an empire ἐν λογόις κειμενη, "built beneath the tide of war."

[1] The MS. set of Essays discovered in the British Museum, of earlier date than the edition of 1612, contains the Essay "On Deformity," which must therefore have been written *before* Cecil's death.

CHAPTER IV.

BACON SOLICITOR-GENERAL.

1607–1613.

In the summer of 1606, Coke, as Chief Justice of the Common Pleas, became the champion of the Bench, alike against King and Parliament; and Sir Henry Hobart was appointed to fill the vacant place of Attorney-General, Bacon being again passed over. On this, the last of his professional rebuffs, his smothered indignation found vent, as formerly, in respectful remonstrances. To the King he wrote recounting his services; to Salisbury, in the old strain, assuming goodwill and pressing for the Solicitorship; to the Chancellor, almost pathetically, and with one of his rare domestic references :—

"I humbly pray your lordship to consider that time groweth precious with me, and that a married man is seven years older in his thoughts the first day. And therefore what a discomfortable thing it is for me to be unsettled still. Certainly, were it not that I think myself born to do my Sovereign service (and therefore in that station I will live and die), otherwise, for my own private comfort, it were better for me that the King did blot me out of his book. . . . And, were it not to satisfy my wife's friends, and

to get myself out of being a common gaze and a speech, I protest before God I would never speak word for it."

At last (June 25, 1607) the Solicitorship was made vacant by other promotions, and Bacon's nomination to the office marked the first step in the ladder on which, for fifteen years, he had been vainly endeavouring to set his foot. The office was estimated at about £1000 annual worth. To this (July 16, 1608) was added the Clerkship of the Star Chamber, the reversion of which he had held for nineteen years, worth nearly £2000, raising his income to over £5000.

The new Solicitor, with the zeal that never forsook him, set himself to discharge the duties of his post. Of those strictly legal, we need only note that all his judgments were regarded as authoritative by the lawyers, among whom he seems to have ranked second only to Coke. On questions bordering between strict law and politics, Coke and Bacon were constantly at variance: the former, by disposition and training an analytic precisian, was bent on settling all issues by rule and precedent; the latter, with his imaginative synthesis and frequent over-scorn of detail, inclined to set aside or bend, sometimes to excess, minor matters of the law to what he conceived to be exigencies of State. Technicalities apart, his work as Solicitor consisted in drawing up proclamations (as the admirable Note to Jurors in 1607, extolling the dignity of their office, and that on the Jurisdiction of the Marches), and conducting important cases; while in Parliament he was pursuing his *rôle* as a Unionist and reconciler. The sole notable events of his private life during this period are his friendly intervention in some dispute between the "little

violent lady" his mother-in-law and her husband, and the separation from his most constant friend (the model, it is said, of the later essay on "Friendship") Toby Matthew, who, having been converted to Catholicism, was in 1607 practically exiled. The second year of his Solicitorship is marked by reports at once temperate, practical, and strong, in favour of ameliorating the penal laws,[1] also by the discourse on "Irish Plantations," to which we have already referred.

Bacon was far from being elated by his new offices: his success carried with it the thought of his defeats. Fortune's first favours had come to him in his forty-seventh year, in such a manner as to deprive them of half their honour and all their grace. He was, besides, assailed by one of those "symtomes of melancholy" or "malign humours"—the natural accompaniments of a sedative, over-studious, and hitherto disappointed life—of which he often complains and to which he curiously refers in his private diary.

"I have found now twice, upon amendment of my fortune, disposition to melancholy and distaste, specially the same happening against the long vacation, when company failed and business both; for upon my Solicitor's place I grew indisposed and inclined to superstition. Now upon Mill's place[2] I find a relapse unto my old symptom, as I was wont to have it many years ago, as after sleeps; strife at meats, strangeness, clouds, &c."

Allowance must be made for this condition of mind and body, in judging the notes (jotted down during a week from July 25 to 31 at the beginning of the long

[1] *Vide* Spedding, Life, vol. iv. p. 100.
[2] The Clerkship of the Star Chamber.

vacation of 1608) known as the *Commentarius Solutus.* Though several of these notes, as indicated by the mark "Transportata," seem to have been carried over from older diaries, many relating to recent events must have been new, and the temper in which they were selected or condensed is coloured with one of the "colours of evil." This medley, the strangest perhaps that has ever fallen into biographic hands, was for the first time printed in 1868 by Mr Spedding, with a preface of almost jesuitical charity. The paper falls under three main heads: that strictly personal to the writer; philosophical schemes; and suggestions for the policy of the State. Belonging to the first head, the medical part is as quaint as a page from Burton or Sir Thomas Browne; the financial, a simple statement of facts as from an account-book, in which innocent extravagances are redeemed by an almost childlike *naïveté* in their narration; the drafts for an ideal garden are like the essay on the same theme, or the best pages of Evelyn's 'Sylva'; but the directions for his own perpetual canvass as the "architect of fortune," are generally of such a nature that those who revere the memory of the writer wish they had never seen the light they were certainly never intended to see. The essential privacy of the document only goes a certain way in excusing those passages; for the penalty of greatness is to bear the blaze. Much must be allowed to the fashions of an age when to be more than "indifferent honest" was to be "out of joint"; most perhaps to the circumstances of the writer, who, smarting under a pent-up injury, committed himself, with the restiveness of dyspepsia, to be splenetic if not rash in his confi-

dences. When Bacon was transposing and adding to these comments, he was in no mood to be generous to the "mean men" who had been promoted over him; and he has set down his chagrin in a manner which has made this paper a welcome mine for his detractors. The insolences of Coke are condoned as the forgetfulness of a hot-headed man in a rage; while Bacon's deliberate catalogue of the defects of his rivals remains unforgiven. It should, however, be remembered that his censures had always a show of reason. Nothing, for instance, remains to indicate that Hobart, the main butt of this paper, had any real claim to the position he occupied; and as commonplace not only distrusts but dislikes genius, so genius is apt to be unduly intolerant of commonplace. When the great man says of the small man, "Solemn goose. . . . They have made him believe he is wondrous wise. . . . Better at shrift than at drift. . . . He will alter a thing, but not mend. . . . The coldest examiner. . . . Weak with the judges. . . . Nibbling solemnly, he distinguisheth but not apprehendeth," &c., the phrases, applied to a successful competitor, may not be in perfect taste, yet the judgments may have been sound. Taste, in the form of reticence and measure, was no mark of the Elizabethans; and the same reckless exuberance which showed itself in the often tangled metaphors of their drama, was displayed in the exaggerations alike of invective and compliment that passed between the leaders of the Court and Bar and Bench.

Bacon's censures are rarely, if ever, chargeable with insincerity. Few of the lavish praises current in his age were quite sincere; but the licence we grant to Shake-

speare's Sonnets we must refuse to prepared plans of adulation for a personal purpose. The resolutions in the 'Commentary' as to improvement of manner—"struggling against shyness, hurry in speech, brusqueness or formality"—are as free from reproach as they are full of interest; but such devices of courtship as: "Find means to be thought in private affectionate to the Scotch, . . . succeed Salisbury, and amuse the King and Prince with pastime and glory,[1] . . . know the King's pleasure before every term, . . . furnish my Lord of Suffolk[1] with ornament for public speeches, . . . make him think how he should be reverenced by a Lord Chancellor, if I were," &c., are unfortunate betrayals of the writer at his worst. Numerous suggestions relate to winning favour with men of rank, mind, or wealth, in pursuit of a nobler object. They indicate that Bacon had become aware that the conquest of Nature could not be achieved single-handed, that he must have the help of others in accumulating facts, sifting evidence, and making experiments. In the list of those whom he thinks of enrolling in this service, we find Murray and Chaloner, treasurer and housekeeper to the Prince; the Court physicians, Hammond and Poe; Russell, the chemist; Harriot, the mathematician; the Earl of Northumberland; the Archbishop of Canterbury, "single, glorious, and believing the sense," and greater than all, "Sir Walter Raleigh in the Tower." These were some of the "wits, pens, and purses" he hoped to command in the prosecution of a

[1] Here and below I modernise the spelling and interpret the ciphers. It should be noted that several words as "insinuate," &c., used by Bacon in this paper, have in our day a more offensive meaning attached to them than they then conveyed.

work worthy of one of the Universities, whose Chancellors (Bancroft and Salisbury) he might persuade to grant a college, endow it with teachers, and supply it with instruments. Already, there, or at Winchester or Eton, he saw in imagination the young scholars, the *post-nati* of science, flocking at the call of his far-sounding bell to a "Solomon's House," where there should be "laboratories and engines, vaults and furnaces, . . . terraces for insolation," libraries and endowments, galleries with statues for inventors past, and bases for inventors to come. To this fore-sketch of the Royal Society and the Radcliffe Museum, he attaches heads for more definite detail; among them a history of marvels compiled "without credulity," and another of the mechanical arts, seeing that "as a man's disposition is never well known till it be crossed nor Proteus ever changed shapes till he was straitened and held fast, so the passages and variations of Nature cannot appear so fully in the liberty of Nature, as in the trials and vexations of Art." With this, the writer interleaves memoranda to "inquire of learned men beyond the seas;" and after suggesting the plan of his 'Redargutio'[1] and 'De Sapientia Veterum,' he jots down the tables of motion, which served as drafts for part of the 'Organum.' Bacon then suddenly returns to politics; and, amid a sheaf of public and private suggestions, we come upon a passage of abrupt hints and curtailed spelling, in which he urges that the nation should be diverted

[1] The other philosophical tracts belonging to this period—*e.g.*, "Calor et Frigus" and "Historia Soni et Auditus" (1608), with the "Descriptio Globi Intellectualis" of somewhat later date—all show a mind bent on the accumulation of facts.

from internal discord by directing its attention abroad: "The fairest without disorder or peril is the general persuading the king and people, and infusing everywhere the foundation in this isle of a monarchy in the West, as an apt seat, State, and people for it. So civilising Ireland, further colonising the wild of Scotland, annexing the Low Countries," &c. "The best way, in short," says Mr Spedding in his gloss, "to avoid the danger of popular discontent, was for the Crown to put itself at the head of some movement which should carry the sympathy and ambition of the people along with it. The wars with Spain in Elizabeth's time, and the bountiful loyalty which rushed to James's assistance upon the discovery of the Gunpowder Plot, had proved how rapidly distastes and disputes could be forgotten under the influence of a common passion." Bacon's hypocrisy, if it must be so called, is generally transparent, and those disjointed notes are in so far an epitome of his life. They present, in almost absurdly confidential microcosm, traits of littleness of which a common man might be ashamed, along with conceptions, in their grandeur seldom dared, of an empire over nature yet unachieved by an age which has put Ariel's girdle round the world, and of a Protestant empire of the North worthy to compete with the schemes then revolving in the minds of Raleigh and Henry of Navarre. The two designs ran through Bacon's whole career: side by side with the 'Cogitata et Visa,' and the 'Advancement of Learning,' he was writing his 'In Felicem Memoriam Elizabethæ,' and recording in the same lofty strain his view "of the true greatness of the kingdom of Britain"—a greatness to be founded on

supremacy abroad and reform from precedent to precedent at home. But he regarded this reform as a concession to be won, not as a right to be demanded.

Unless we accept the view that his whole public career, from this point, was that of a mere self-seeking lawyer, we must believe that the principles which Bacon inherited from the days of Elizabeth, gathered strength from his increasing distrust of popular government; and that he came to regard conciliation and concessions in detail, with submission in the last resort to the King's will, as the best security for the prosperity of the nation. In any case it became more and more the ruling maxim of his policy, already at variance with the spirit of the times; doubly destined to failure under a monarch devoid alike of grasp to understand, or the tact to play his part in carrying it out. Bacon's misfortune was that he rarely knew when his advice was vain, and, in the tenacity if not the enthusiasm of loyalty, "slid from position to position," till he abandoned almost all the ground which, as a reformer, it was necessary for him to hold. It is impossible to accept his expressions regarding James, whom he proposed to himself to "amuse" in order to lead, as wholly sincere; it is absurd to suppose they were as false to him as they seem to us. Infatuated by a prepossession in favour of his person as well as his place, he kept on hoping to the last that by some shift or circumstance the most pusillanimous of kings might be induced to adopt a spirited foreign, the most pedantically self-assertive a magnanimous domestic, policy. He did not see that his own political projects were as inaccessible to a narrow mind as was his philosophy; that, for a chance of success, they required the

co-operation of a sovereign at least aspiring to the standard he was assumed to have attained. The good seeds of his counsel fell among thorns, for neither James nor any of his dynasty could receive them. The last chance of their bearing fruit perished with the death, in 1610, of the young Prince Henry. The surviving heir was left to hasten the revolution which his father's adviser had tried to avert—idly, because, knowing what to propose and how to compromise, he never knew when to resist. Bacon, never like Hobbes the advocate of autocracy, was always among the foremost to press for the calling together of Parliaments; but he seemed to hold their function to be rather to suggest than to decide, comparing the Commons to a noun-adjective to which it remained for the Sovereign to supply the substantive. He forgot that, in this case, the one was incapable of being truly qualified by the other. "In consent," he wrote with theoretic wisdom, "where tongue-strings not heart-strings make the music, harmony may end in discord." He failed to see that the King and his people were radically out of tune.

Three letters[1] of this period, all bearing the date 1609, are of special interest, as illustrating Bacon's own view of his work—his mode of fitting its parts together, and the careful manner of his composition, adding and altering many times, and thinking "nothing done till all is done." One is to Matthews, with a copy of the 'De Sapientia Veterum'; another, accompanying the 'Cogitata et Visa,' to the lifelong friend of both, Launcelot Andrews, Bishop of Ely, afterwards elevated to the see of Winchester—in which capacity he, in 1641, sat on a

[1] For all three letters, *vide* Spedding, Life, &c., vol. iv. pp. 141-145.

committee of four to investigate the charges against the Chancellor; the third is addressed to Isaac Casaubon, one of the "learned men beyond sea," who was then at Paris, allured thither by the French king holding out to him the offer of a professorship. Bacon elsewhere suggests having some of his work printed at Paris, to which the prospect of the famous scholar's association with the University and his influence with the Court may have been an inducement. But these hopes, with many more, were frustrated; and the designs of the great monarch for remodelling the map of Europe were set at nought in the following year by the knife of Ravaillac.

In Henry IV., if we except the comet-like career of Gustavus Adolphus, there expired the last king who brought down to later times the old spirit of chivalry. On one side of his character he was the last of the knights, though, on another, a far-reaching and wily statesman; the sole relic on the throne of the Elizabethan age, the last who preserved the traditions of the Renaissance. To his sometimes quixotic, sometimes unreliable, magnanimity, there succeeded the folly and frippery of Louis XIII., the subtle craft of Richelieu and Mazarin, and the mere selfish glories of Louis XIV., who, in the revocation of the Edict of Nantes, killed the France of Navarre. If we set aside Bacon's grand dreams, and offer tribute to the manly independence of Digby (Lord Bristol), there is henceforth not a gleam of greatness, and little even of respectability, in our relations abroad till the time of Cromwell. The foreign policy of James may be summed up in fortune-hunting—by alliances projected, broken, shifted with the instability of a poltroon, and bargained for with the cupidity of a huxter; windings and twist-

ings between France, Austria, Spain, and the Netherlands, as tiresome to narrate as they were degrading to endure; a policy of bluster to the weak and retreat before the strong, with the sole prevailing result, in itself and its bearing on our domestic history for the sake of which alone it here claims mention, *Sequitur conclusio deteriorem partem.*

On August 27 of the same year (1610), we have a letter in which, with characteristic calmness, Bacon refers to a great though inevitable loss:—

"Sir Michael Hickes.

"It is but a wish, and not any ways to desire it to your trouble. But I heartily wish I had your company here at my mother's funeral, which I propose on Thursday next, in the forenoon. I dare promise you a good sermon to be made by Mr Fenton, the preacher, of Gray's Inn; for he never maketh other. Feast I make none. But if I might have your company for two or three days at my house, I should pass over this melancholy occasion with more comfort.—Yours ever assured, Fr. Bacon."

This is the first notice we have of old Lady Bacon, since a reference in 1600 stating that her "health was worn." If any letters passed, during the ten intervening years, between the mother and the son whose early career she so carefully strove to direct, they have been lost. The fact that her name is not even mentioned in the 'Commentary,' in connection with the inventory of her estate at Gorhambury, together with Bishop Goodman's statement that "she was but little better than frantic in her age," induces us to believe that an original irritability of temper had merged in a mental condition which at least rendered her incapable of managing her

affairs. It is calculated she must have been well over eighty years of age at her death. Bacon's remarkable reticence about family matters, taken along with passages in the 'Essays,' countenance the idea that he was not a man of very intense domestic affections; but that he remembered with tenderness the mother from whom he inherited the energetic side of his character, appears from the expression of his wish to be buried beside her.

Meanwhile Bacon's work as Solicitor-General, "one of the painfullest places in the kingdom," was engrossing the largest share of his attention. With its official routine we are concerned only to note that in all matters of nicety he was felt to take the foremost place, to the comparative effacement of Hobart, the Attorney. Few of his pleas during this period have encountered any formidable criticism. Where they seemed to conflict, he was always predisposed to subordinate the letter to the spirit. This was notable in a case where he was worsted—*i.e.*, his support, 1611, of an attempt to set aside the will of Thomas Sutton[1] endowing an hospital at the Charterhouse, in favour of what he conceived to be objects of more national importance. His indictment of the Countess of Shrewsbury, 1612, for conniving at the escape of Arabella Stuart, though failing to enlist our sympathies, was in direct discharge of his duty as an agent of the Crown. His reports on the penal laws, especially his exposure of the "abuses and inconveniences of informers," display him in his prevailing attitude as an advocate of clemency; which indeed, in his recommendation to mercy of the cowardly assassin Lord Sanquhar,

[1] I find no ground for Dean Church's suggestion that some dark iniquity lay hidden under this.

is overstretched. On the other hand, we miss any further championship of religious freedom. On this matter he had said his say in vain, and did not even feel called on to protest against the execution by fire, 1612 (the last atrocity of the kind in England), of the heretics Wightman and Legate. The assassination of Henry IV. had, by general consent, led to an increase of severity in the laws against Roman Catholic recusants; while, as regards the more extreme Puritans, the King had finally put down his foot.

It is reasonably conjectured that to the above-named event was partly due the institution of a new Court, that of THE VERGE, to deal directly with offences committed within a range of twelve miles round the King's residence in London. Of this Court Bacon was appointed President, and (June 8, 1611) he opened its proceedings with a charge, impressing its duties in his most magniloquent strain: "This is as a half pace or carpet, spread about the King's chair of estate. . . . We see the sun when it is at the brightest; there may be perhaps a bank of clouds in the north or the west or remoter regions, but near his body few or none; so where the King cometh there should come peace and order and an awe and reverence in men's hearts." Dividing, after his wont, offences into classes, he dwells first on those committed against the Church, and declares that non-attendance on its services shall be punishable on all above the age of sixteen: under the same head is the abuse of God's name by perjury or "conjuration and witchcraft." Under the second head, offences against the King himself, he brings the publication of seditious prophecies, and lays down the maxim that the escape of

any prisoner committed for treason is treason. Passing to consideration of assaults on the people, he dwells, with an emphasis remarkable for that age, on the heinousness of DUELLING. "Life is grown too cheap in these times. It is set at the price of words, and every petty scorn or disgrace can have no other reparation, nay, so many men's lives are taken away with impunity that the life of the law is almost taken away." Bacon's first duty in his next office, that of Attorney-General, was to exercise judgment in reference to a practice which he condemned in terms so sweeping as, in our days, to excite the indignation of one of his clerical critics. In the "Proposition for the Repression of Duels" he proposes that the offender, whether by sending or accepting a challenge or even acting as second in the quarrel, shall be permanently banished from the Royal Court, and in the "charge" ensuing on a definite case he declares :—

"Men have almost lost the true notion and understanding of fortitude and valour. . . . A man's life is not to be trifled away; it is to be offered up and sacrificed to honourable services, public merits, good causes, and noble adventures. It is in expense of blood as it is in expense of money. It is no liberality to make a profusion of money upon every vain occasion, nor no more it is fortitude to make effusion of blood except the cause be of worth."

In answer to the objection that the law has not provided due reparations for insult, he appeals to the examples of antiquity in "the most valiant and generous nations of the world."

"It is not credible (but that the orations themselves are extant) what extreme and exquisite reproaches were tossed up and down in the Senate of Rome and in the places of

assembly, and the like in Græcia, and yet no man took himself fouled by them, but took them for breath and the style of an enemy, and either despised or returned them, but no blood spilt about them. So of every touch or light blow of the person they are not in themselves considerable, save that they have got upon them the stamp of a disgrace which maketh these light things pass for great matters."

And in a passage that recalls, as his legal findings often do, the ripe wisdom and rich phrase of the 'Essays':—

"It were good that men did hearken unto that saying of Consalvo,[1] the great and famous commander, that was wont to say a gentleman's honour should be *de tela crassiore*, of a good strong warp or web, that every little thing should not catch at it; when as now it seems they are but of cobweb, lawn, or such light stuff, which certainly is weakness, and not true greatness of mind, but like a rich man's body, that is so tender that it feels everything."

This was perhaps a more ready argument for Bacon than for men of hotter temper and in some respects finer edge; but it is one of the instances in which his classic culture and forecast of the softer manners of a later age revolts under the assumptions made by mediæval chivalry. The result in this case was a decree of the Star Chamber, signed by Ellesmere, Northampton, Nottingham, and Coke, declaring the principal and second who had only intended a duel, the challenge having been refused, guilty of a misdemeanour, and sentencing them to imprisonment and fine. This judgment was affirmed by Bacon towards the close of his Attorneyship, November 1616, when, in the case of

[1] Gonzalo Hernandez de Cordova y Aguilar, called the Great Captain, 1443-1515. This name is elsewhere written Gonsalva; but I find no authority for Bacon's spelling.

Lord D'Arcy *versus* Markham, he decided that a letter inciting to a challenge was equally punishable.

Meanwhile the great duel of the time—that between the King and Parliament—was being found to have its pivot in the national purse. Matters of money have generally been among the springs of revolutions: with financial agitations the sixteenth century planted, and the early years of the seventeenth watered, the roots of our Civil War. During the whole Tudor period the ordinary revenues of the Crown were barely adequate to its ordinary expenses, and in times of trouble extra contributions were required. These could be obtained only from one or more of three sources: (*a*) Lucrative privileges attached to the sovereign's office, as the letting of monopolies, of wardships, and other FEUDAL TENURES; (*b*) Taxes levied in the shape of duties by a royal mandate, and known as IMPOSITIONS; (*c*) SUPPLIES voted by Parliament. The object of the Crown was manifestly to extend the range of the first and second, as sources of revenue exempt from conditions; while the obvious policy of the popular party was to make the Crown mainly depend on the third, which might be made matter of bargain and reminded the sovereign of his dependence at the last resort on the House of Commons. We have seen that under Elizabeth some items relating to the first head were more than once exposed to challenge; but as a rule the necessary supplies were freely granted amid the stress of foreign or the threats of domestic war. The recognised economy of her Court made the grants more facile. In spite of this economy, James succeeded to a considerable debt, and soon increased it by an extravagance, the more distasteful because it

was unaccompanied by any show of grandeur, and largely due to his almost criminal indulgence to often unpopular favourites. The impending crisis was deferred by the discussions about the Union, after which, in the heat of escape from a terrible menace, three considerable subsidies were voted with scarcely a dissentient voice. But in the year following that of the great Plot, the point of the legality of "impositions" was raised (1606) in the case of a merchant who refused to pay duty for imported currants, and decided by the Court of Exchequer in the affirmative—*i.e.*, in favour of the King, by this decision reinvested with a right that had been detached from the Crown in the time of the Plantagenets. Accordingly, when, in 1608, Cecil (then Lord Salisbury) succeeded Lord Dorset in the office of Treasurer, and found an excess of expenditure over income of about £80,000, he resorted to an increase of impositions amounting to £60,000. His measure, unpopular as it was, being still insufficient, it became necessary again to appeal to Parliament for a vote of supply, and in 1610 he brought forward the scheme known as that of the Great Contract, which, amid much confusion, doubly confounded by the action of James himself in the matter, was briefly this: The Commons were to pay a slump sum, varying in estimate from £500,000 to £600,000, towards payment of the debt, and make an annual grant in return for the definite surrender of some of the assumed privileges—prominent among them those of the wardships and purveyances—and a pledge to make no more impositions without consulting Parliament.

That part of the business which related to the amount

of the vote was eminently undignified. The sums 100, 150, 180, 220 thousand, were offered on one or the other side, more after the manner of a wrangle in a market than of an imperial debate. The Commons were anxious not to give enough to enable the King in future to dispense with their aid; while James, eager for the largest sum he could get, was restive under the thought of indirect dictation. At length, after numberless messages to and fro, indignation meetings about the interference of the Privy Council, &c. &c., there seemed to be a prospect of conclusion on the basis of £200,000 annual grant, and, waiving the question of the right of imposition, a promise of restraint in exercising it; when the King, after many shifts, showed his false cards. The Commons were resolved that the grant and the concessions to their petition of grievances—a form in which they were induced by Bacon to put their demands—should proceed *pari passu;* while the intention of James was first to obtain the one, and then be allowed to take the other *de novo* into consideration. On one occasion he deputed Cecil, who appears as the honest broker in the transaction, to state his understanding that the supply was to be voted, and compensation given *in addition* for any exercise of the prerogative he might be pleased to relax. Finally, he made a long speech asserting his right to tax, not only imports and exports, but all property whatsoever in the realm—which, together with his obstinate refusal to entertain the question of ecclesiastical grievances, put an end to the whole negotiation. On February 9, 1611, he dissolved his first Parliament in an angry fit, and fell back on other means, as selling baronetcies, applying for loans to the city, and financing his

revenue to meet his immediate wants. The part played by Bacon in the whole affair is perplexed by his having been called on to act in several distinct capacities. As a subordinate officer of State, he had to put in shape the conceptions of Salisbury; as the spokesman of the House, to formulate their demands; as the King's "man" he had to temporise and modulate, softening down what the more sturdy leaders called "cords to bind Samson's hands," into the "mourning of a dove." He seems to have honestly disliked the plan of the "contract," and would have dissuaded it had his cousin not been the last man likely to take his advice; but, on its being started, he wished to give it fair-play. The result showed he was correct in supposing that it could only have a chance of success by being put in a shape as palatable as possible to the sovereign. Hence, in his great speech of June 1610, he did all he could to prevent the abstract question of prerogative from being raised, and went so far as to admit to the Crown a theoretic right of imposing taxes on commodities, both native and foreign. His view always was that there was danger in pressing matters on either side (a view amply vindicated by subsequent history) and that mutual forbearance was the art of politics as of life. He was always opposed to holding sessions of Parliament for the express purpose of dealing with matters of finance; and the refrain of his counsel to the King in the following years was to make some great national question of another kind "the main," and let money come in as "the bye." Neither party, he held, should give or take by bargain, but both, as it were, *ex gratiâ*, inspired by a zeal for national honour and mutual respects. Prerogative

and privilege were to him as sleeping dogs; but neither of the combatants would let them lie, least of all the King, who, without either the redeeming grace or dignity of his mother or of his son, had the assumption to travesty their parts like an uncouth actor. Bacon recoiled from a definite choice of sides; but in this instance, being constrained, certainly chose the worse. In the affair of the addled contract we have the unsuspicious testimony of the biographer, whose unrestrained championship of his hero has often led him into an absurd championship of James. "It may be that the King shrunk, when it came to the point, from a policy which he had been persuaded to sanction. . . . What is certain is, that the proceeding on the part of the Government was both indirect and inconsistent from beginning to end, and that the final breach was distinctly their choice and act. The Commons, on the other hand, acted throughout openly, honestly, consistently, and liberally."

This negotiation was the last important public act of Salisbury's life. The extent to which he lost influence by his failure has been variously estimated: some contemporary reports assert that it had at an earlier date begun to decline. Bacon addressed himself directly to the King in applying, at some date early in 1611, for the Attorney's place on the first vacancy. The occasion was the preferment of the Speaker to the Mastership of the Rolls, with the reversion to Sir Julius Cæsar. One paragraph of the appeal is remarkable for its unconscious humour: —

"Perceiving how at this time preferments of the law fly about mine ears, to some above me and to some below me, I

did conceive your Majesty may think it rather a kind of dulness or want of faith than modesty if I should not come with my pitcher to Jacob's well, as others do, . . . being sometimes assailed with this cogitation, that by reason of my slowness to sue (!) and apprehend occasions upon the sudden, keeping one plain course of painful service, I may, *in fine dierum*, be in danger to be neglected or forgotten."

The next letter indicates that he had received the required promise, *anchora spei;* but to make assurance surer, after the Attorney's illness in the autumn of the year, we find him addressing, on New Year's tide 1612, his last letter to Salisbury, who seems to have given some sign of acquiescence in his desire. It is written in the old strain of deference and gratitude for favours to come, and breaks off abruptly at the close, so that we do not know if any copy were actually sent.

Salisbury's death in the May (24th) of the same year (1612) is important as breaking the last official link between the policies of two centuries. The first English statesman regularly bred to the arduous task, he had survived, with Bacon and Raleigh (still to live for five years longer in the Tower), last of the inheritors of the Elizabethan traditions; and with him what remained of them ceased to influence the State. Neither his temper nor his policy was of a nature to excite enthusiasm, and he died unpopular with both parties, between which he had, unsuccessfully in the end, tried to steer. He left behind him a debt—diminished indeed by one-half, but at the expense of doubling the annual deficiency—and the reputation, well defined by Bacon—now that no longer "a hawk tied to another's fist" he could speak his mind—of a man, *magis in operatione quam in opere.*

Of his two offices, that of Lord Treasurer was for some time put in commission. Five days after the vacancy, Bacon, always willing to subordinate law to politics, wrote a draft letter, and on the 31st sent it to the King, soliciting more influence in the State.

"Your Majesty hath lost a great servant and a great subject. But if I should praise him in propriety, I should say that he was a fit man to keep things from growing worse, but no very fit man to reduce things to be much better. For he loved to have all the eyes of Israel a little too much upon himself. . . . My good old mistress was wont to call me her watch candle, because it pleased her to say I did continually burn (and yet she suffered me to waste almost to nothing), so I must much more," &c.

This letter, remarkable for its candid advice to lose no time in calling a Parliament, is unexceptionable. But shortly afterwards, in making a definite application for the Secretaryship — whether owing to some revelation in the interval of Cecil's hostility or otherwise, we can only conjecture — Bacon's tone alters to one of bitterness, in painful contrast with his old professions. After a modest reference to his own hereditary and other claims, he proceeds: "If your Majesty find any aptness in me, or if you find any scarcity in others whereby you may think it fit for your service to remove me to business of State, . . . now that he is gone, *quo vivente virtutibus certissimum exitium*, I will be ready as a chessman to be wherever your Majesty's royal hand shall set me." Later, on June 18th, in the course of a long, and, from his point of view, statesmanlike letter on the King's proper policy and the management of his revenue, we have the following :—

"I will make two prayers. . . . The one is, that these cogitations of want do not any ways trouble or vex your Majesty's mind. . . . My second is, that your Majesty, in respect of the hasty freeing of your state, will not descend to any degree of means which carrieth not a symmetry with your greatness. He is gone from whom these courses did wholly flow. To have your wants and necessities in particular as it were hanged up in two tablets before the eyes of your lords and commons; . . . to stir a number of projects for your profit, and then to blast them, and leave your Majesty nothing but the scandal of them; to pretend even carriage between your rights and the case of the people, and to satisfy neither: these courses and others the like, I hope, are gone with the deviser of them."

There followed in the draft struck out by Bacon himself the worst words he ever wrote: "I protest before God, when I saw your book against Vorstius and Armenius, and I noted your zeal to deliver the majesty of God from the vain and indign comprehensions of heresy and degenerate philosophy, . . . *perculsit* (sic) *illico animum*, that God would set shortly upon you some visible favour, and *let me not live if I thought not of the taking away of that man.*" Mr Spedding, who sees no reason to suppress this passage, is of opinion that if the King had taken courage to make Bacon his Secretary of State, the history of England might have run another course. It is possible, had Bacon had his way even likely. But James, who never did anything that required courage yet with all his weakness had an obstinate will, was not likely to be thwarted by the man whose imperial intellect could, even in a moment of forgetfulness, stoop to exalt a piece of meddling bigotry into an act worthy of a sign from heaven. The King

at first determined to be his own Secretary, and remained so till April 5th, when, on the meeting of the second Parliament of the reign, Ralph Winwood was sworn, and took his place in the House as Chief Minister.

There is, however, no doubt that after Salisbury's death Bacon's influence increased. He failed again in two subsequent applications for the Mastership of the Wards, and on both occasions made himself somewhat absurd; first by drafting premature instructions for the office, and then by putting his men into liveries before the event. But he was more frequently called on to offer suggestions on State affairs, and his views had more weight than formerly with the Court and Council. In 1613 the question of calling a new Parliament came to the front, and Bacon issued a paper of reasons in its favour, followed by a confidential letter to James, in which good advices alternate with others more questionable. His Majesty is to remember that he has a freer hand, now that the death of a bad adviser has removed a load of envy; that the popular leaders are conciliated by appointments or won by hopes; that his true course is to "put off the person of a merchant and put on that of a king;" that his debts are *arcana imperii*, and he should attempt their relief *per gradus*, not *per saltum*, for "it is the soaking rain and not the tempest that relieveth the ground;" that, in fine, he is to act as a wise dissembler, and deal with the Commons outwardly as friends, with a mental reservation that they may become enemies. Sir Henry Neville, one of the leaders of the House, as rival adviser recommended the King to treat them frankly as friends, graciously surrendering

obnoxious privileges, and relying on "his people's affections to throw him out of want." The less generous advice prevailed, as far as either did, but the calling of Parliament was postponed.

Meanwhile Bacon, acting with Hobart, had rendered another dubious service to the Crown, in the case of the proceedings against James Whitelocke, a law counsellor who had led the popular party in resisting the "Impositions," and Sir Robert Mansel, treasurer of the navy, on which a Royal Commission, charged with full powers, had been issued. The offence of Mansel lay in procuring, that of Whitelocke in actually drawing up (as afterwards admitted, for the paper was originally anonymous), a protest against the proceedings of the commissioners, on the ground that, dispensing with the appeal to a jury provided by Magna Charta, they were illegal. Bacon contended that in cases where the King's martial power was involved the provision had no effect; and the condemnation of the offenders to imprisonment for political slander, though both were released on their expression of regret, may be regarded as an attempt to strike a blow at the rights of juries, as well as at the free expression of legal opinion.[1]

In August 1613, Sir Thomas Fleming, Chief-Justice of the Queen's Bench, died, and a readjustment of posts had to follow. Bacon, after some hesitation, recommended that Coke should be transferred from the more

[1] *Vide* Spedding, vol. iv. pp. 345-356, and Gardiner, vol. ii. pp. 187-191, for a full discussion on both sides of the question. Whitelocke was at first indicted for a pleading in the Court of Chancery which offended Ellesmere, but the accusation was put aside for that which alone concerns us here.

lucrative but nominally less dignified presidency of the Common Pleas to Fleming's vacant place; and the advice, with the serious difference of making Coke at once a Privy Councillor, instead of letting him wait on his good behaviour for the honour, was acted on. This "penal promotion," as it has been called, may have been a stroke of genuine policy in desiring a less influential though higher place to be given to an offensive man; but it was also Bacon's first direct thrust in reply to a series of insults, and was felt to be so by the recipient. Coke parting, perforce, from his favourite Bench, where he had long been the champion of strict Law against a broader Constitutionalism, said to his adversary, "This is all your doing; it is you that have made this great stir;" and had for answer, "Ah, my lord, your lordship has all this time grown in breadth; you must needs now grow in height, else you will become a monster." Hobart stepped into the Common Pleas; and now at last, as a matter of course, October 27th, Bacon was appointed Attorney-General.

CHAPTER V.

BACON ATTORNEY-GENERAL.

1613–1617.

When, in his fifty-third year, Bacon obtained the office to which he had thought himself entitled in his thirty-third, he might have at once compared and contrasted the age of his vain suing and the age of his success. Both were marked by intrigue; but in the former era it was subordinated to the State policy which in the latter was subordinated to the intrigue. The difference between the two periods is nowhere more conspicuous than in the character of the favouritism displayed by the sovereigns of each. Elizabeth's partiality was that of a woman, impressionable though proud, for illustrious noblemen whose valour and graces of mind as of body went some way to redeem their faults; and in the patron she never forgot the queen. Her smiles were for Leicester and Essex; her trust in Burghley and Walsingham. The favouritism of James was more like that of Edward II. and Richard II., which cost them their thrones and their lives. His relation to his first *protégé* is suggestive of that of the former monarch to Piers Gaveston. Of

Robert Carr, from his introduction to the English Court at the tilting field to the dark and shameful close of his public career, there is nothing good to be said save the solitary tribute to Edmund in 'Lear' that he was beloved. His sole charm was outward beauty, and a certain amount of the show of spirit by which it is frequently accompanied. From first to last an adventurer, he became at the apparent height of his power a mere puppet of the great family with which he was allied; and as his advancement was without parallel, his fall was without regret. George Villiers, his successor, had higher qualities: he added some intellectual to physical attractions; to a fascination of manner rarely equalled, undoubted talent of speech and a spark of generosity; he was able to admire mental greatness, and desire its advancement when in accord with his own. But he was as radically selfish as his predecessor, and his even more arbitrary will made him a more dangerous enemy to public if not to private weal. With these men Bacon, during the rest of his political life, had to reckon as on the ears through which everything had to pass and the hands from which everything had to come.

Carr, who had been the King's page in Scotland, after a period of absence in France, again attracted his master's attention in 1604; and soon favours were showered on him without let or stint. Four years later the royal resolve to make him a landed proprietor led to the seizure, despite the tears of Lady Raleigh, of the manor of Sherbourne. In 1611, as Viscount Rochester, he sat as the first Scotch peer in the House of Lords and began to levy toll on all aspirants. After Cecil's death, when Digby's revelation of the Secretary's pen-

sion from Spain had made James more distrustful of his graver statesmen, the favourite sprang rather than rose. In 1613 he was promoted to be Earl of Somerset; so that, equal in rank as in infamy, he might more freely claim the hand of Frances Howard, whose disgraceful divorce from the son of the unfortunate Essex he had co-operated to procure. Bacon's relations with a man any contact with whom was contamination were fortunately few; but sharing the common ignorance of the darkest guilt of the bride, he associated himself with the marriage celebrated over the body of Sir Thomas Overbury, by contributing to the splendour of its festivities a gorgeous masque, the expense of which amounted to £2000. The reserved tone of his single extant letter addressed to the Earl, on occasion of the second vacancy in the Wards, inclines us to accept his later statement to the King: "When I moved your Majesty for the Attorney's place, it was your sole act: more than that, Somerset, when he knew your Majesty had resolved it, thrust himself into the business for a fee." That the one should have made and the other acceded to such a demand is equally in character.

Bacon's first duty in his new office was to draft the proclamation against duelling above referred to. There shortly followed (January 1614) his charge against an Irish M.P., William Talbot, for refusing to disown the doctrine of the Jesuit Zuarez on the lawfulness of tyrannicide in the case of heretics — a charge so carefully moderate that it indicates the intention, in this instance, of the Government rather to brand the offence than punish the offender. Talbot, who had been for four months in the Tower, was form-

ally fined, but, on making submission, let off with his past imprisonment. A year later a longer argument arose about an aggravated example of the same kind. An English Catholic, John Owen, admitted to have said that it was "as lawful to kill a king excommunicated as for the hangman to execute a condemned person," was brought up for trial before the King's Bench; and Bacon, taking stronger ground in a speech, which for richness of historical allusion and vehemence of invective strikingly recalls some of Milton's later denunciations, pressed for a stern sentence. The speech is remarkable for its refutation of the position, often assumed in later times, as to the distinction between the spiritual and the temporal power. This distinction, he maintains, "is but a delusion and a snare; . . . for all that cometh to one. What is there that may not be made spiritual by consequence — specially when he that giveth the sentence may make the case?" In the event Owen was condemned to death, but allowed to leave the country after three years' imprisonment. Those sentences may seem severe in days when foolish words rarely carry disastrous consequences; but, at a time when treason was not "writ on ice" and so many fanatical assassinations were fresh in men's memories, they were justifiable. That strict laws must be made and enforced in times or countries of exceptional lawlessness is agreed by all save idealogues, sentimentalists and philanthropists run mad. Perfect tolerance, it has been observed, is only possible when accompanied by a feeling of personal and national security; and such proceedings were neither in advance of the spirit of the time nor behind it.

M. de Rémusat asserts that the new Attorney-General

"espoused all the bad cases." The answer is, that he was employed on all the difficult cases, and that it was his duty to undertake them. The Attorney-General is the public prosecutor, and the only restraint on his defence of the Crown is that he do not pervert facts or overstrain the law. It is only captiousness, love of surprises, or the modern spirit of sympathy with criminals, that accuses Bacon of having, during this period of his career, done either. His gratuitously offered advices, on the other hand, must be judged on their own merits, with some comprehension of his attitude and knowledge of his circumstances. Again and again, in an age when love of reform is apt to be regarded as a monopoly of Radical politics, it must be repeated that Bacon, though by inheritance, disposition, and conviction belonging to the party of the *Optimates*, not the *Populares*, was at the same time a sincere reformer. In pointing to this conclusion, his essays, speeches, letters, and life concur. He had as profound a disbelief as Carlyle had in our own age in the collective wisdom of individual ignorances: he more than doubted the capacity of the people (*vide passim* such expressions as "The malignity of the people," "I do not love the word people") to legislate wisely for themselves. According to his view, good had to be done for them, not by them: like overgrown children, they still required leading-strings: too strong to be repressed, too stupid to be trusted, he, as a pupil of Machiavelli and Guicciardini, held that they might be cajoled. It seems to have dawned upon his mind that the King had to be similarly treated; and he was convinced, by the overweening self-confidence that underlay his sometimes abject style, that he was the man to "amuse"

both by the policy, to which in the 'Commentary' he gives the name "E Gemino," the policy of humouring and reconciling both. The ultimate failure of the Great Rebellion seems to argue for the wisdom of these plans, while the course of our national progress since the Revolution protests against them; but right or wrong, the first step to judge their contriver is to know his mind.

Bacon's Memorial for the royal speech on the meeting of James's second Parliament (April 5, 1614) is in full accord with his convictions, tactics, and reiterated advice. The King is to declare clearly the causes of its being called and the manner of its procedure; to set forth that times of peace as well as of war have their claims; that the last Parliament was wrecked by a misunderstanding; that now he is resolved to anticipate words with deeds, and petitions with grants; that he is eager to have the concurrence of his faithful lieges; that he is not one of those sovereigns who are "like images or statues, and have no composition to treat with their people;" that were it not for the charge of his subjects, he would wish the ancient statutes put in force of having a Parliament every year, &c. James listened to this advice; but led to the water, he would not drink. He opened the session with fine words about the forthcoming Parliament being one "*of love*"; but the ill odour of his treatment of the last was in the air. During the elections a report was spread that the Court party was trying to influence them; and, by a reaction of sentiment, an unusual number of new members were returned, bent on carrying out, on the earliest opportunity, the reforms ecclesiastical and civil still held

in abeyance. When Bacon, elected at once for three constituencies, St Albans, Ipswich, and the University of Cambridge, chose to sit for the last, a question was raised whether a law officer of the Crown was entitled to sit at all. The point being debated, it was decided that, by special grace, and in view of urgent requirements, he might keep his seat, but that public officers should for the future be excluded. The decision, arrived at against the weight of previous precedents, was the first indication of a jealous temper, apparent throughout a session for the first time marked on the part of the Commons by an almost fractious spirit. This soon showed itself in a series of complaints directed against a body of men called "undertakers." These were conspicuous representatives believed to have entered, before the elections, into a compact with the King, guaranteeing on their part that the Parliament would be swayed to a good issue—*i.e.*, induced, on all important matters, to meet his wishes. While criminations and recriminations on the point continued to disturb the session, a long list of "bills of grace" were, by concurrence of the King and Council, drawn up and presented; but, as soon appeared, their *bona fides* was distrusted. On Secretary Winwood and Sir Henry Neville pressing for a resolution in supply, it was postponed in favour of a prior consideration of the reforms and the appointment of a committee to protest against the "undertakers." Bacon made a speech in his usual strain: but when a new storm arose on the question of "impositions," he sat silent, concluding the struggle to be hopeless, or having changed his opinion about their legality. The committee afterwards reported against "undertaking" as an attempt to

pack the House, and almost humorously informed the King that "whatever shall be done for him shall be merely out of *the love* of the whole House for him." Hardly enough emphasis has been attached to this decision, as the first distinct assertion of the Commons that in any bargain with the King they assumed the right to be equal partners, and the first example of the violence on the popular side (*e.g.*, in the assertion that the undertakers, "worse than the Powder traitors," meant in a subtle way to "blow up" the House) that afterwards went to charge one of the thunder-clouds of the Civil War.

Bacon again came forward eloquently and with infinite metaphor, deriding the idea of any private man "undertaking" for the Commons of England; and throwing doubts even on the existence of such persons. "This suspicion and rumour of undertaking settles upon no person certain. It is like the birds of paradise that they have in the Indies, that have no feet; and therefore they never light upon any place but the wind carries them away: and such a thing do I take this rumour to be." But the most ingenious imagery failed to divert from their purpose the plain practical minds of the pioneers of parliamentary supremacy. Liberty of elections becoming the cry of the day, cases of unlawful interference were eagerly entertained; and, despite Bacon's plea for a milder sentence, the offenders were expelled. At a proposed conference with the Lords on "impositions," he was, in remarkable tribute to his ability in putting matters clear, appointed to represent the Commons; but the Lords refused to confer, and it came to nothing. The disposition of the House to strike back,

even to assail, was, at this crisis, provoked by one of those inconsiderate persons—compared to children who unawares break articles of cost—remembered in history for the sole reason of their having precipitated conflicts. The Bishop of Lincoln (Neile), not content with dissuading the conference, and before its terms were fully known, committed himself to say that it was mutinous and treasonable. His vehemence set the Commons in an uproar. Inflamed with the idea that such language was treason against themselves as the Third Estate of the realm, and dissatisfied with the apology which followed, they insisted on the punishment of this minor Laud, and appointed a committee to consider it. But the King, now hopeless of obtaining support in any compromise, hopeless above all of supplies blocked by the intervention of what seemed to him designedly obstructive debates, hastily, after a sitting of two months, during which not a single bill had been passed, dissolved his ADDLED PARLIAMENT. On the surface there seems more excuse for his action than often before and after; but the affair assumes a different aspect in our knowledge of the fact that, in consideration of future alliances, James was at this time in secret expectation of pecuniary help from Spain —the first of those disgraceful stipulations for foreign support that afterwards culminated in the vassalage of Charles II. to Louis XIV. As for Bacon, his "Pol e Gem" had failed; oil and water would not mix. It has, indeed, been held by a high authority, that from this date his power for political usefulness was at an end, "James having taken one way and the nation another." Bacon's "support of power

for the sake of doing good, became a support of power from which no good was to be hoped. . . . The lower part of his nature was perhaps not more active, but the higher part had no prospect of being called into action." Surely this judgment[1] draws too hard and fast a line. It is true that we here have to note the close of Bacon's direct dealings with Parliament; for when the Commons next met, their main act was to put an end to his political career; and during the six years' interval of government by Privy Council, Ministers, and favourites, he was outwardly a mere law servant of the Crown. But that this state of things was repugnant to all his wishes is manifest from his constant advocacy of a new Parliament, as "the ancient and royal way of providing the King with treasure," and his reiterated counsel to accommodate the rules of State to the pulses of the people. In a paper on the subject, of 1615, however, after advocating what would now be called Fair Trade (*i.e.*, taking measures, according to the political economy of the day, to make the kingdom financially self-dependent), Bacon, with one of those leaves from Machiavelli that never did him any good, suggests that the King may threaten the Commons with the notion, that if they will not consent to ameliorate his estate, he has in reserve the treasures of the Infanta.[2]

It was easy in those days to kill a Parliament; but

[1] *Vide* especially the subsequent letter of advice to Villiers, in the best parts of which the practical side of Bacon's genius is at its best.

[2] Professor Gardiner asserts confidently that Bacon was "entirely ignorant of James's secret understanding with the ambassador which preceded the dissolution;" but at the date of the above paper he must have become aware of the project of the alliance.

to James, who instead of retrenching kept adding to the pay of his Scotch pensioners, the golden eggs were indispensable. The failure of supply had to be met by other devices, among them a call on loyal subjects throughout the country for contributions to the State, under the title of BENEVOLENCES. These were nominally as voluntary as a subscription to an hospital or to a church; but, a list of possible contributors having been made out, the names of those who gave and those who did not were equally known, and practical freedom in the matter was seriously curtailed. The unsatisfactory result of the call, about £42,000, contributed to direct attention to any overt instance of opposition to the grant. Among the financial recusants was a certain Oliver St John, a gentleman of Marlborough, who, not content with refusing to contribute, appealed to every one to follow his example; and further added that the King, in asking for the Benevolence, had violated Magna Carta and his coronation oath. He was committed to the Fleet, brought up for examination, regularly tried, and after an apology so abject that it withdraws our sympathy from his patriotic excess, sentenced to a heavy fine (afterwards remitted) and a short term of imprisonment. In the illness of the Chancellor, the conduct of this case lay with the Attorney, in whose pleading, allowing for the language of overstretched zeal for the Executive, there is nothing, historically judged, either censurable or surprising. St John was correct in holding that the Benevolence was not wholly voluntary; Bacon in maintaining that it was legal, and the language used against it intemperate. The same proclamation called forth, at the same time, an almost tragic appeal from Sir Walter

Raleigh, an echo of the Elizabethan age out of tune with the time, boldly exhorting the King to renounce his new-fangled projects,—all thoughts, in chief, of approaches to Spain, of which Northampton, the head of the Howards, just deceased, had been the main promoter,—and to rely on the affections of his people. This paper, on which Raleigh had relied to help his release, was, of course, at once suppressed.

Meanwhile Bacon was called on to assist in another case of constructive treason, which, as far as its own merits are concerned, has obtained absurd notoriety.[1] A foolish Puritan clergyman in Somersetshire (where the feeling against the Benevolences had run high) Edmond Peacham, conceiving some ground of complaint against his bishop, made accusations, to answer which he was brought before the Court of High Commission. On his house being searched for evidence, a sermon was discovered among his MSS., written with the evident intention of having it preached, in which he denounced temporal as well as spiritual judgments against the iniquities of the Government. The paper has not been preserved; but all reports agree in describing it as one of unusual venom. It is not denied that it threatened the King and his family with the fates of Ananias and Nabal, that it distinctly suggested a rebellion and the assassination of the heir on his coming to the throne. In any age in England previous to our own, when treason short of physical violence has passed out of the list of crimes, or in any other country of Europe at this day, such an offence would have been

[1] Macaulay's account of the affair is, *pace tanti viri*, grossly inaccurate.

liable to indictment. Peacham was accordingly brought before the Privy Council; and, on his admission of the authorship of the paper, a warrant was issued (January 18, 1615) for his examination.[1] Suspicion being excited by his audacity that he had more powerful instigators whom, in view of a conspiracy, it was important to have disclosed, a clause was introduced to the effect that, if found obstinate against telling the truth, he should be "put to the manacles." The signatories to this warrant, on whom should fall the whole odium of one of the last applications, south of the Border, of an old Crown prerogative, were: the Archbishop of Canterbury, Abbot, the leading representative of the Calvinistic party in the Church; the Lord Treasurer, Earl of Suffolk, chief after Northampton's death of the Howards; the Lord Steward, Duke of Lennox; the Earl of Worcester, Lord Privy Seal; and Lord Stanhope,—for the Lords: and for the Commons, Sir Ralph Winwood, the Puritan Secretary of State; the Chancellor of the Exchequer, Sir Fulke Greville; and the Master of the Rolls, a strict lawyer, Sir Julius Cæsar. This warrant was directed to Winwood himself, who afterwards signed the report, to the Attorney and Solicitor-General *ex officio*, the Lieutenant of the Tower and the Clerk of Council, and to Montagu and Crew, the King's Sergeants. Bacon, who merely sat during the process with the other seven, was as innocent of applying the manacles to Peacham as of putting the halter on Dr Dodd.

The horror that the name of torture now excites,

[1] Gardiner says, "There is no reason to suppose that any of those who were intrusted with this odious work imagined for a moment that they were doing anything wrong."—Hist., vol. ii. p. 275.

with the more sober conviction that its use has been abandoned from its being found useless (as in this case it proved to be, for Peacham either would not or could not give any names), has found vent in obloquy undeservedly attached to the greatest man who had incidentally a part in the proceedings. There is, however, no reason to suppose he had, more than Coke had at that date, any absolute theoretic objection to its employment "in the highest cases of treason, for discovery and not for evidence"; indeed he afterwards (1620) suggested it in the case of one Peacock.

Discovery in this case being baffled, it remained to consider the question of individual guilt, and this Bacon set himself vigorously to establish. Peacham's inconsistent mendacity, first acknowledging then disclaiming the MS.; asserting in one breath that it was never intended for publication, in the next that he meant to preach it "with all the bitterness out" (as if, said James, in a letter, obviously his own, with a touch of humour, it contained anything else); then laying the blame on others—canting, recanting, denying and asseverating, in turn—leave no doubt of the facts. These being granted, the question arose, Did the offence amount to the treason with which it was charged? About Peacham personally his contemporaries seem to have felt as little interest as he deserved, and the Council might have assumed to itself the decision on the matter; but as regards any sentence capable of being arraigned as political it was thought, for the sake of appearance if not of justice, desirable that their decision should carry with it the approval of the highest purely legal Court in the kingdom —that of the King's Bench. This, James, *proprio motu*

as far as we can make out, resolved, but in a peculiar method, to secure. I quote from Mr Spedding:—

"The King was himself persuaded that the case for the prosecution was good in law; but he wished to be sure that the judges would take the same view. . . . Experience, however, had taught him that it was not an easy thing to obtain the opinions of the other judges when Coke was among them, who so overcrowed them by the weight of his reputation, . . . his mastery in law logic, . . . and, above all, by sheer strength of will, that they had no opinions of their own; and James, . . . knowing very well that Coke, however overwhelming, was far from infallible, had a mind to know what the others would think when they had no prompter. Accordingly, he desired to have their opinions taken separately; each answering for himself without any communication with his fellows."

Whether this course were Bacon's suggestion or not, there can be no question he approved it: there was certainly nothing illegal in the proposal; and on the question arising between two views of the Constitution—that which maintained for the judiciary an intermediate independent place between the Crown and people, and that which insisted on its dependency on the Crown—it was then possible, with perfect honesty, to take different sides. Bacon's advocacy of the latter view was only marred by his policy of "managing" men by half truths. In his letter to the King of January 24th, after an implied excuse as to his part in the Peacham affair, on the ground that he was "not the principal examiner," he conveys the Chief-Justice's objection to the proceeding, on the ground that "such particular and auricular taking of opinions was not according to the custom of this realm." He then states that the other judges had been

found complaisant, on being separately interrogated, and he proposes "in some dark manner to put Coke in doubt that he shall be left alone." Coke, for a time stubborn against the whole procedure, being at last persuaded, read the papers, and gave his opinion that the King's title not being in them impugned, he did not find it a case of treason. This frustrated the desire of the Court for a unanimous decision; but, having gone so far, they determined to proceed without it. At this stage Bacon was again guilty of recommending a *suppressio veri*—writing January 28th: "I do think it most necessary, seeing there is some bruit abroad that the Court of the King's Bench do doubt of the case that it should not be treason, that it be given out constantly, and yet as it were in secret, and so a fame to slide, that the doubt was only upon the publication in that it was never published." Finally, after more transparent lies on the part of Peacham, he was tried in Somersetshire by a deputation from the Council, found guilty of a capital offence, but allowed to languish out the rest of his life in Taunton jail.

Thus ended a case where the culprit, himself a mere fly in amber, was the means of raising an important point regarding the confines of juridical jurisdiction and that of the Crown. The progress of the dispute was delayed by the unexpected revelations regarding the murder by poison of Sir Thomas Overbury, into the strange and revolting details of which we cannot enter. Enough to state that, while the Countess of Somerset pleaded guilty, the Earl, to the last but with little credit, protested his innocence, and threatened the King in the course of the investigations to make some

mysterious disclosures affecting his honour. For whatever reason, the object of James was to procure a conviction which would yet leave it to his clemency to grant a pardon; thus keeping his former favourite under his control. Bacon used every legitimate means to this issue and with success; for while the subordinates in the crime were executed, the Earl and the Countess escaped with imprisonment during his Majesty's pleasure in the Tower, from which, in 1622, they were finally released. Coke, who during the trial had shown his readiness to be misled by very dubious evidence, before the end of the same year (1616) was tempted to renew the old conflict, and on this occasion decisively thrown. His first move in the game had a divided result. The King having conferred on a new applicant the writership of the Common Pleas, the former holder, in an action before the King's Bench, invalidated the appointment. This decision, being challenged by the Crown lawyers on the ground of an old writ *de non procedendo Rege inconsulto*, was the occasion of a speech from the Attorney, which Coke himself admitted to be "a famous argument," and matters were compromised on the basis that the appointment should hold good, but that no other should be made under similar circumstances. Elated by his partial success or smarting under its incompleteness, Coke, only a few weeks later, played a false card in inducing two rogues, who had had judgments in their favour at Westminster reversed in Chancery, to raise an action of *præmunire*, on the ground of an old statute of Edward III. — obviously directed against those who, in ecclesiastical cases decided in England, appealed to

Rome. In this instance the grand jury threw out the bill, while the Attorney, Solicitor, and King's Sergeants unanimously supported the higher court. A third case then arose, in connection with a royal grant of a living *in commendam* to the Bishop of Lichfield (the same Neile who had roused such a storm in the House), the legality of which was disputed.

While the decision was pending, Bacon was enjoined by the King to prohibit the Chief-Justice from giving judgment until he had personally conferred with the Crown. To this attack on the independence of his court Coke demurred, and prevailed on the other judges to join him in a letter to James, plainly stating that, his Majesty's mandate being illegal, they had proceeded as if it had not been sent. This defiance brought matters to an issue. On the Chancellor, now stricken in years, shirking the personal responsibility of a decision, Bacon took up the argument, and maintained that the judges were bound by their oath to take counsel with the King when required: in this view, when set forth, Ellesmere and the rest of the law officers concurred. The Chief-Justice replied, with his usual arrogance, that it was the place of the Attorney to plead, not to dictate; but on the question being asked, "Whether if, at any time, in a case depending before the judges, his Majesty conceived it to concern him that they should stay proceedings till consultation, what would they do?" eleven of the judges gave way, and Coke was left alone to retort, "When the case occurs, I shall do what may become a judge." To James there was no nobility in this much-lauded answer, only a proof of resolute insubordination, which he speedily took measures to sup-

press. Coming, a fortnight later, to the Star Chamber, he delivered one of the most uncompromising and biblical of his prerogative speeches.

On June 30th, Coke was summoned before the Council, censured, deprived of a seat at the table to which his great rival was now admitted, and ordered to revise his reports, with a view, no doubt, to make them conform to the recent Chancery decisions. He did so, under irritation, in a manner almost impertinent, admitting and correcting only five trivial errors of detail. Though subsequently induced to disavow his opinions, and so far broken as to fall on his knees before the King, he was (November 10, 1616) dismissed from his office. With Coke — the victim, it was said at the time, of "pride, prohibitions, præmunire, and prerogative"—no one who has read the trials of Raleigh, or noted how the vaunted champion of national rights veered in his view of them according to the place he happened to hold, can have any personal sympathy. A pedant and a boor, the assertion of his own undignified dignity, rather than any larger motive, determined his attitude. On the other hand, it must be admitted that he was sometimes in the right, and that his attempt to make his court an *imperium in imperio* foreran the assertion of the important principle that law has a place in the realm altogether apart from politics. That this idea did not commend itself to Bacon is everywhere obvious. His course, as the leader in these proceedings, may have been whetted by a touch of personal animosity, from which not even he,[1] dealing with so long inveterate a

[1] *Vide* Essay on Anger: "In all refrainings it is the best remedy to win time; and to make a man's self believe that the opportunity

foe, could have been wholly free; but his action and arguments were consistent with the view he had always advocated as to the relation of the judiciary to the Crown. In Bacon's 'Essays,' if anywhere, we find his real sentiments. They were, he was now assured, no mere records of a day, but, as he held, likely to outlive the English language when transferred to another more enduring. In them he must therefore have known he was making an appeal to posterity, to whose keeping he left his name, and by whose verdict he was willing to be judged. The "Essay on Judicature," that first appears in the edition of 1612—one of the few not found in the previous MS. collection—sets forth with sufficient clearness his ideas of the relation of the judges to the other powers in the realm. They ought to remember, he begins,

"That their office is *jus dicere* and not *jus dare*—to interpret law and not to make law or give law—else will it be like the presumption of the Church of Rome, which, under pretext of exposition of Scripture, usurpeth and practiseth an authority to add and alter; and to pronounce that which they do not find, and by colour of antiquity to introduce novelty," censuring by anticipation exactly the course that Coke four years later attempted to pursue. In the last paragraph we find, "Judges ought, above all, to remember the conclusion of the Roman twelve tables, *Salus populi suprema lex*, and to know that laws, except they be in order to that end, are but things captious, and oracles not well inspired. Therefore it is a happy thing in a State when kings and States do often consult with judges; *and again, when judges do often consult with the King and State:* the one,

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of his revenge is not yet come, but that he foresees a time for it, and so to still himself in the meantime and reserve it."

when there is matter of law intervenient in business of State; the other, when there is some consideration of State intervenient in matter of law. For many times the things deduced to judgment may be *meum* and *tuum* when the reason and consequence thereof may trench to point of estate. I call matter of estate not only the parts of sovereignty, but whatsoever introduceth any great alteration or dangerous precedent, or concerneth manifestly any great portion of the people. And let no man weakly conceive that just laws and true policy have any antipathy, for they are like the spirits and sinews, that one moves with the other."

In the edition of 1625 he added the sentence, "Let judges also remember that Solomon's throne was supported by lions on both sides; let them be lions, but under the throne." This solution of the problem revolved by his contemporary in 'Measure for Measure' and the 'Merchant of Venice,' the relation of the letter to the spirit of the law, is another aspect of the same political philosophy that we have seen running through Bacon's thought and pervading his practice. As he held that the few should legislate for the many, by wisdom winning or by power compelling consent; as on all critical occasions he sided with the Council against the Commons, and set the executive above the deliberative function of the State,—so he gave to what seemed to him the demands of a comprehensive national policy a place above the scruples of precedent or the superstitious regard for the minutiæ on which, as he warns us, great minds are apt to be broken. This policy might be suggested from below, as Plato's golden race might listen to suggestions from the silver; but it should be controlled from above, and its determination should finally rest with a *pater patriæ*, the Escalus of the Common-

wealth, the concrete embodiment of Aristotle's ἐπιείκεια, a king alive indeed to every legitimate influence of opinion, but lifted above the currents of popularity or party, and strong in the last resort to be his own arbiter, a king in whose counsels he now hoped to have himself the foremost place. To English readers of the present day—when "the sovereign" is no longer the sovereign power; when, reversing Bacon's image, the occupant of the throne is wont to be regarded as the adjective and not the noun, the cipher and not the numeral of the State,—this view has almost ceased to be intelligible. We are even apt to forget in what comparatively recent times it has been entertained, *e.g.*, that Bolingbroke's idea of a "patriot king" is found lingering at the close of last century, when Johnson still professed his belief in right divine, and Chatham, with George III., defied almost the whole force of the Whig aristocracy. But belief in authority was of the essence of Bacon's age and engrained in his mind. He thought he could "win the Queen," "work" Cecil, "manage" Coke, and his constant failures seem to have given him next to no discouragement. Surely no great man before or since was ever born with a temperament so absurdly sanguine. The source of his weakness, as of his strength, in philosophy as in politics, was, that he did not know the meaning of the word impossible. A boundless confidence in his own persuasive powers, with an almost utter absence of the sensitive form of pride, made him as unabashed in asking for himself as in hoping for others. These years are strewn or bespattered with suits for favour; conspicuously for the Chancellorship, which on the illness of Ellesmere—always, as far as we

can judge, his friend—seemed likely to be vacant. The following sentences from his letter to the King on this occasion, February 12, 1615, have given rise to special animadversion. Beginning with a compliment to the Chancellor, and the reference above quoted to his having obtained the Attorneyship without interventions, "and therefore I have no reason to pray the saints," he proceeds: "I shall now again make oblation to your Majesty, first of my heart, then of my service, thirdly of my place of Attorney, which I think is honestly worth £6000 per annum, and fourthly, of my place of the Star Chamber, which is worth £1600 per annum; and with the favour and countenance of a Chancellor, much more." This concession to the bad but nearly universal practice of offering gifts on promotion, involves an expression of his willingness to discard the still worse practice of selling the reversions. Shortly after he points out, somewhat invidiously but truly, the objections to the success of any among his most probable competitors. Coke will be—

"An overruling nature in an overruling place. If you take my Lord Hubbard [Hobart] you shall have a judge at the upper end of your council board and another at the lower end, whereby your Majesty will find your prerogative pent. If you take my Lord of Canterbury [Abbot] I will say no more but the Chancellor's place requires a whole man; and to have both jurisdictions spiritual and temporal, in that height is fit but for a king. For myself, I can only present your Majesty with *gloria in obsequio;*[1] yet if I sit,

[1] This of course only means "obedience," though the classical suggestion, the words of a friend of Sejanus forced to justify himself before Tiberius, is unfortunate. "Tibi summum rerum judicium Dii dedere; nobis obsequii gloria relicta est."—Tac. Ann., vi. 8.

. . . your M. shall only be troubled with the true care of a king, which is to think what you would have done in chief and not for the passages," *i.e.*, with cumbersome details of business.

That the writer should aspire to a position to which he was not only adequate but from long service and mainly excellent service entitled, was inevitable: but there is too much suggestion of *quid pro quo*, and though not "bargaining for an office" in the sense in which Bacon himself condemned it, the request might have been put in a form less open to criticism. In his mode of preferring it, he soon found he had made a mistake, and that the intervention of "a saint" was indispensable. Bacon's next letter, only three days later, shows that he had received what was equivalent to a promise of the Chancellorship, and that it came not from the King directly, but through the new favourite. In 1615, a year after he first came before the notice of James, Villiers had been knighted, and, despite the jealous protest of Somerset, made a gentleman of the bedchamber. The next year saw him (October 24) in quick succession Master of the Horse and Knight of the Garter. "This is now the man," wrote a contemporary observer on the 20th of August, "by whom all things do and must pass; and he far exceeds the former in favour and affection." On the 27th he was created Viscount, with lands and manors laid at his feet. Early in 1617 he was raised to the rank of Earl; in 1618 to that of Marquis; in 1621 he became Lord High Admiral; and in 1623 Duke of Buckingham; and, for the five remaining years of his life, the practical sovereign of the realm. Bacon's first com-

munication with Villiers, about a suit for the reversion of a patent office, bears the date January 22, 1616. The next is that about the Chancellorship, in which he adds to a civil acknowledgment an ominous image:—

"Sir,—The message which I received . . . hath bred in me such belief and confidence, as I will now rely solely on your excellent happy self. . . . I am yours surer to you than to my own life. For, as we speak of the Turquoise stone in a ring, I will break into twenty pieces before you have the least fall."

There is no doubt that at this time, and to a later period, Villiers looked up to Bacon as a counsellor worthy of respect: to the extent of his capacity he admired the genius, and had even some affection for the character, of a man who, on his part, thought he had found at last, in the graceful and hitherto gracious courtier, a plastic material to mould for great ends. A little later (when Ellesmere's health seemed to be re-established), on being asked to choose between being at once sworn Privy Councillor or definitely offered the reversal of the Chancellorship, he, wisely, in memory of hopes deferred by waiting for dead men's shoes, chose the former and took his seat. Bacon was more and more frequently called on to assist in affairs on the decision of which he was now entitled to vote. The reputation of his enormous industry was bearing its slow fruit. In professional esteem, he was bold to boast that he did not fear comparison with Coke himself. The number of questions on which his versatile mind undertook to advise, persuade, or pronounce during these years, is as remarkable as the unrivalled manner in which, whether on the right side or the

wrong, he managed to give them fresh significance and dignity. His contributions to the pleas and arguments of the time belong to English literature as much as to the history of constitutional law. Whether engaged in soothing the Commons—battling for the prerogative—fencing the forests of the land from waste—giving judgment on the rights of the Irish Parliament—pressing, without respect of persons, the law against duels—or laying down his views about customs, merchandise, manufactures, agriculture,—we seldom fail to meet, on his pages, with some broad generalisation, some colour of fancy, apt ıssical reference, or startling epigram. No man ever so illumined a mass of technical details with the light of genius. The obnoxious Coke removed from obstructing, he was now free to carry out his comprehensive plans for codifying, simplifying, and amending the law, and reconciling differences between parties and interests at home. Northampton's death and Somerset's dsigrace seemed to open the way for the reassertion of the policy abroad which he had always advocated, an attitude of well-armed defence, *si vis pacem para bellum*, the renewal (were the marriage negotiations to fall through) of the league against Spain, and the possible realisation of the Greater Britain; whose foundations were, indeed in another way than he dreamed, being then laid at Surat in the East and Virginia in the Indies of the West. As regards his relation with the throne, he thought, in his aftermath of hope and energy—how vainly, time alone could show—that he could coax, educate, and manage the young lion, now so high on its steps. That Bacon disapproved

of Court favourites is attested by a passage in his "Essay on Counsel"; where, in reference to such Cabinet confidence as prevailed in Italy and France, he says it is a remedy for troubles of State "worse than the disease; which hath turned Metis the wife into Metis the mistress—that is, councils of State to which princes are married, to counsels of gracious persons recommended chiefly for flattery and affection." But as there must be a favourite in the house of James, he wished to make the best of him; and he set himself to court the courtier, whose character, as yet imperfectly displayed, he saw or read through rose-coloured clouds. The "new star" that had dawned on the horizon might, he thought, be induced to shine auspiciously on the framing of good laws and the prosecution of great designs. In this frame of mind, still assuming the attitude of a respectful Mentor, he addressed to Villiers the famous "Letter of Advice," which, in its two forms, remains, with its blending of wide views and illustrative detail, the best treatise on Government of the age.

On the 6th of March 1617 the Chancellor Ellesmere, worn with infirmities, was permitted to deliver up the Great Seal; and on the following day it was placed in the hands of Bacon, who, under the title of Lord Keeper, *post tot tantosque labores*, at length succeeded to the first office of the realm.

His letter of thanks to the favourite, now Earl of Buckingham, to whom he assigned his advance, is written with all the grace of the greatest master of compliment we have known:—

"My dearest Lord,—It is both in cares and kindnesses that small ones float upward to the tongue, and great ones

sink down into the heart with silence. Therefore I could speak little to your lordship to-day, neither had I fit time; but I must profess thus much, that in this day's work you are the truest and perfectest mirror and example of firm and generous friendship that ever was in Court."

The new Lord Keeper was inaugurated, after his fashion, with unusual pomp; with the applause, sincere and the reverse, of many; the ill omen of few, who said, "he comes so bravely in, he will go sadly out."

CHAPTER VI.

BACON LORD KEEPER AND LORD CHANCELLOR.

1617–1621.

Our insular history, from the reign of the first and greatest of the Scotch Jameses to the ascendancy of Edmund Burke, has, to an unusual degree, been adorned by men illustrious alike in the field of letters and in that of action; but, says the best French critic of our author, "none of those whose names mark an epoch in human thought, ever rose so high as Bacon." He adds, "His elevation seemed to realise the wish of Plato that a philosopher should be a king, and showed that the realisation may be a calamity." M. de Rémusat's antitheses are, however, frequently open to the same charge as those of Pope or of Macaulay, the sacrifice of truth to concision; and here they approach their theme with a prejudgment. But the most impartial historian of those times, while contending that Bacon was "too great a man to play other than a second part in the age in which he lived," admits that in his philosophy we may find "the key to his political life." In announcing his scheme of harmonious relations be-

tween the Crown and Parliament, which, if carried out in its wholeness, might have averted the Civil War, he "showed that he had entered into the spirit of the future growth of the constitution, as completely as he showed in the 'Novum Organum' that he had entered into the spirit of the future growth of European science. Yet no man would have been more astonished than Bacon, if he had been told what changes would be required to realise the idea which he had so deeply at heart."

This applies with equal force to the politician and to the philosopher. In both spheres we find the same breadth of conception with a similar incapacity for accurate detail, the same ignorance of new methods, the same over-sanguine expectations: nor is it too much to conjecture that his belief in the superiority of the few to the many may have been transferred from his study of reforms in science—never due to multitudes, but originating in the minds of often solitary thinkers—to his view of public affairs. In both spheres we have the spectacle, more strange than rare, of a man, by every art of argument and imagery, fortifying himself in vain against the temptations to which he was most prone. The "anticipations of nature" denounced in the 'Organum' are replaced in his own "Instauration" by a series of assumptions often as hasty as those of the ancients he derides; while it is dominated by a love of system as great as that of Aristotle.[1] Similarly in

[1] It has been observed that his exaggerated trust in persons in authority may be traced in the absolute faith reposed in their ideal equivalents, the inspired prophets and directors of the 'New Atlantis.'

politics, his censures of favouritism, pressing of suits, granting monopolies, of the spirit of dependence, love of pomp, of luxury, and of power, are censures on himself, not always by anticipation, but often those of a man reading alone a commination service. There is no hypocrisy in his talking of the paraphernalia of his installation as Chancellor being "a purgatory"; rather the self-deception that believed his own and other characters to be more single than they were; and, when he speaks of the *quanta patimur* chanted by the great, as a mere ring thrown to envy, the irony is unconscious. The same contrast appears between the excellence of his first counsels, and the lack of courage to press them, "letting 'I dare not' wait upon 'I would,'" that pared down his advice till it lost half its value. There never was a man so patient, so tenacious, with so little stubbornness. The opposition was nowhere more conspicuous than in his relation to affairs abroad. Bacon's own foreign policy was Elizabethan to the core and to the end. His inner convictions evidently never wavered. He was as thoroughly a friend of the Netherlands and an enemy of Spain as was possible for a professed lover of peace genuinely averse to the violent ways of Raleigh. But his attitude shifted with the Court in reference to the marriage between the Prince and the Infanta, tossed to and fro amid bewildering negotiations, intrigues, bargains, and ruptures about religion and money during ten vexatious years. His last act as Attorney-General was to take part in a meeting of Council, from which the sturdier spirits absented themselves, approving of the alliance: almost his first as Lord Keeper to instruct Sir John Digby to favour the match, referring to the

happiness of the Christian world in a union of the kingdoms to extirpate the Barbary pirates and league together against the Turk. To this idea, in 1622, when overtures of amity were again opened, he returned in his "Dialogue on a Holy War." Two years earlier, when the Bohemian revolt had begun to sound the knell of the Spanish hegemony, he addressed the King, urging an alliance, defensive and offensive, with the Netherlands. Two years later, like an old hunter hankering for the chase, he drew up notes for a speech in the House, ringing with defiance of "the Papal Ottomans," recalling the Armada and Raleigh's "squibs of fire," the assaults on Lisbon and on Cales, the rout of Kinsale and the capture of D'Avila; urging that Spain was a robber daw, pecking "with Persia for Ormus, for Valencia with the Moors, for the Indies with all the world; so that, if every bird had its feather, she would be left wonderful naked." The same tone, the same arguments for a great Protestant alliance against the dregs of Catholic feudalism, pervade the "Considerations on a War," addressed in the same year to Prince Charles; in the course of which the prose description of the fight of the Revenge[1] is not less stirring than the verse of Tennyson; and that of the capture of Cadiz, achieved, "like lightning, by that worthy and famous Robert, Earl of Essex," might have moved to old amity even that possibly indignant shade.

The spirit which evoked those appeals found no re-

[1] *Vide* Spedding, Life, &c., vol. vii. pp. 460, 505. These splendid passages are unaccountably neglected. The two English anthologies most required are, one from Bacon's speeches or pamphlets, another from Milton's often closely corresponding prose.

sponse. What could such advice avail with the first or any of the degenerate race—the pedant, the traitor, the pensioner, the refugee—to whose successively disastrous reigns England does not owe one day of glory, under whom she sank into such a European decadence that her revival, when the incubus of their incompetence was removed, is the greatest testimony to her reserve of force? But to condone the rejection of advice that might have averted the dismal carnages of the Thirty Years' War, would have been yet more difficult had the advice itself been more persistent. Bacon's premature concessions to often unaccomplished facts, his ready acceptance of merely apparent necessities, his incapacity to grapple with evil stars, his habit of "sitting down coolly to see what advantage could be reaped from disaster," were intellectual as well as moral defects. His humility in action, strangely linked to a sublime self-confidence in theory, made him distrusted as a friend, despised as an enemy. His almost criminal determination to succeed, and increasing veneration for those who were ceasing to be even worthy of respect, made him fail.

On one side of his philosophy, Bacon grew wiser with years: he devoted himself more to the accumulation of materials essential for the basis of his plan, and became more alive to the necessity of a long lapse of time for its fulfilment and the co-operation of unborn coadjutors. From his contemporaries he had little countenance and no aid. In politics he stood, save for his influence over the House of Commons, much alone. In the long interval between 1614 and 1621, the period of his high public rank, there was no House: he was

left without what might have been a source of strength, at all events of useful criticism. He had to negotiate with compeers, on a proximately equal footing; with none of whom, owing in part at least to his unemotional, even somewhat unsympathetic temperament, was he ever able cordially to act. Since Shakespeare's death, Sir Walter Raleigh—now a year after his release starting on his last voyage—was the only one of the age on anything like the same intellectual level. Bacon stood above the rest by a head and shoulders; and, conscious of his altitude, was only disposed to take advice when it came from headquarters as a sheathed command. The other ministers of the Privy Council, in which he was now the chief figure, were generally outstanding, some honest but none of them brilliant men, and their influence was marred by radical differences of opinion between the most considerable. It was comparable to what we would call a Coalition Cabinet, with the difference that its members were not practically indicated by Parliament to represent various interests, but appointed by royal favour to satisfy competing claims.

"Abbot," writes Professor Gardiner, "was there because he hated Rome, and Andrewes because he detested Geneva; Edmondes had gained his seat by his services in maintaining the French Alliance, and Digby by his efforts in favour of Spain. One Secretary, Sir Ralph Winwood, never ceased to call for war with the Spanish monarchy. The other Secretary, Sir Thomas Lake, was in receipt of a Spanish pension."

The last was an *attaché* of the Howards, whose power, shaken, not overthrown, by the death of Northampton

and the disgraces of a daughter of the race, was further represented by Sir Thomas, Earl of Suffolk, as Lord Treasurer, and Lord Arundel, direct heir of the Earl of Norfolk, in the Council; while on the outer edge of it was the old Earl of Nottingham, of Armada fame, still the Lord High Admiral. Coke soon returned (1618), waiting, sullen and eager, to seize the first chance of emerging from eclipse.

This discordancy blunted the edge of good advice that might otherwise have weighed with the King. He threw himself more and more into the hands of his favourite, as a protection against the swarms of suitors ready to outbid each other for offices—offices which, in their turn underpaid in themselves, were rendered lucrative by the constant bribes of yet minor suitors. The last important post allotted by James himself, was that of the Attorney-Generalship, to which Yelverton was appointed in spite of a large sum offered by another candidate. This appointment was the only rebuff to Buckingham; henceforth the arbiter of all honours and collector in person of the tolls which, as regularly as custom dues, lay in the path of their attainment.

Bacon, on whose head the Nemesis of those evil practices was destined to fall, had on taking his seat in Chancery, May 7, 1617, inaugurated his administration with a speech on the manner in which he meant to conduct it. His motives in delivering the address were, after the usual flourish of loyalty, stated to be—

"*To set a guard and custody" on himself*, and that men should know not to expect to move his rules. "It is no more I will not, but I cannot after this declaration." He then in-

veighs against unnecessary delays of justice, "sweetest fresh," extravagance in making or permitting charges, and any *shirking of responsibility*—"I will keep the keys of the court myself;" against facile grants for the stay of the common law—"By the grace of God I will make injunctions a hard pillow to sleep on;" or undue preference to first comers—"I do not mean to make it a horse-race who shall be the first at Westminster Hall." On the other hand, he protests against being "over sovereign" so as to disdain the aid of such reverend men as the Masters in Chancery. Next he adds a caution against over-haste: causes perplexed cannot be abruptly determined, which will only lead to a Penelope's web of doing and undoing. "Whosoever is not wiser upon advice than upon the sudden, the same man is no wiser at fifty than he was at thirty, and it was my father's ordinary word, You must give me time." However, "because justice is a sacred thing, and the end for which I am called to this place, I shall add the afternoon to the forenoon, and some fortnight of the vacation to the term, for the expediting and clearing of the causes of the court. Only the depth of the three long vacations I would reserve in some measure free for business of estate and for studies, arts and sciences, to which in my nature I am most inclined."

As regards despatch of business, Bacon's words were abundantly made good. On the 8th of June—*i.e.*, within a month after entering on his duties—he was able to announce that he had cleared off all the arrears, which, owing to the long illness of Ellesmere, must have been extensive.

"This day," he writes with pardonable pride, "I have made even with the business of the kingdom for common justice; not one cause unheard; the lawyers drawn dry of all the motions they were to make; not one petition unanswered. And this, I think, could not be said in our time before. This I speak not out of ostentation, but out of glad-

ness, when I have done my duty. I know men think I cannot continue if I thus oppress myself with business. But that account is made. The duties of life are more than life."

A more important fact is, that his judgments were universally accepted as sound; no successful attempt, with a single exception,[1] was made to reverse them. This work was done in spite of interruptions from ill-health, especially a troublesome assault of gout which points the above reference, and the writing of numerous public papers. The longest of these is a proclamation against piracy; the most interesting an address to Sir William Jones, on his calling to be Chief-Justice of Ireland, in which we have the following:—

"Ireland is the last *ex filiis Europæ* which hath been reclaimed from desolation to plantation, and from savage customs to civility. . . . So as that kingdom, which once within these twenty years wise men were wont to doubt whether they should wish it to be in a pool,[2] is like now to become almost a garden, and younger sister to Great Britain."

Our glimpses of Bacon's private life are so rare that they are naturally treasured. To this period belong:—the record of a warrant (16th March) giving to Lady Bacon the right of precedence at receptions, &c., next to the wives or ladies of the Barons of the realm: a very unromantic letter of advice (April 28th) to his niece on her prospective marriage to Sir T. Edmondes,[3] the Comptroller, recommending it on the ground that the

[1] *V. inf.*, Steward's Case.

[2] Evidently referring to Spenser's prose essay, where occurs probably the original of the oft-repeated wish.

[3] It would have been his second marriage, but did not take place.

man is "of years and health fit to be comfortable to her, and to free her from cares:" the fact that in July he had the pleasure of entertaining his old friend Toby Matthews (who probably owed to a meeting with Villiers abroad leave to return to England); and a little scene in his parlour, when Winwood struck a hound that had ensconced itself on a chair in the room, and the Chancellor said to the Secretary, whom he disliked, "Every gentleman loves a dog."

Even before his formal instalment in his new office, Bacon was made to feel that he had only a delegated authority. The King on leaving London in March for a royal progress in Scotland, had left an injunction that the gentry should during his absence be ordered to leave London for the country; but, as most of them had gone of their own accord, the Council took upon itself to omit the clause as needless. James, on being informed of this on his way, attributed the neglect to the self-assertion of the Chancellor; and, making as great a fuss as if the Tower had been fired, sent instant word that as King of England he meant to be obeyed. This command being at once complied with, the matter remained a straw to show the wind.

In July there came a serious storm, on this occasion owing to Bacon having mistaken his position with Buckingham. The story—in every phase a disagreeable one, though throwing a curious light on the manners of the time—brings us back to Coke. He, since his fall—*i.e.*, during the interval between his flaunting as an incorruptible judge and posing as a patriot—had been following the advice of an anonymous letter (absurdly attributed to Bacon) to "stop

the leak and make friends with the mammon of unrighteousness," and paid sedulous court to the favourite whom in a later stage of the tragi-comedy he afterwards denounced. Already, a month after his suspension, fortune assisted his progress back to grace. His comely daughter Frances attracted the notice of Sir John Villiers, Buckingham's brother, and a proposal was made for a marriage between them. The negotiations (in the course of which there seems to have been no consideration whatever as to the lady's feelings) were retarded by Coke, to whom money was as his blood, haggling about the amount of the dowry; but being pressed by fear of a prosecution for improperly bailing a man charged with piracy, he at last agreed to the demands of the grasping family on whose alliance he counted for restoration. Matters seemed in course to be arranged, when an obstacle appeared in Lady Hatton. This lady, the spirited grandchild of Lord Burghley, and second wife of Coke, whose name she refused to wear, had been long on bad terms with her husband. She had secured a portion of her property to herself, and designed it for her daughter, over whom she thus held more than the usual maternal authority. She was so strongly opposed to the match, that, on the plea of a previous private engagement to the Earl of Oxford then in Italy, she carried off the child to a place of supposed safety from molestation. Whereupon Lady Compton, the termagant mother of the Villierses, applied to the Chancellor for a warrant to recover her. On this being refused, Coke obtained the warrant from Winwood, and, with his sons—one of them, Clem, a notorious fighter—and a troop of armed servants, went to the

girl's retreat, battered down the door, and carried her off. On the day of this outrage, but apparently before he had been made aware of it by Lady Hatton and given her a warrant to resume custody of her daughter, Bacon wrote to Buckingham dissuading the marriage, on private as on public grounds, with arguments notable as approaching to threats. After admitting that Coke was willing to pay for the honour of the new relationship, he points out that the match is being forced without consent of either the mother or the young gentlewoman, and proceeds :—

"I hold it very inconvenient both for your brother and yourself. First, he shall marry into a disgraced house. . . . Next, he shall marry into a troubled house of man and wife, which in Christian discretion is disliked. . . . Thirdly, your lordship will go near to lose all such your friends as are adverse to Sir Edward Coke. . . . Lastly, it will greatly weaken and distract the King's service. . . . Therefore my advice is, . . . your lordship will signify unto my lady, your mother, that your desire is the marriage be not pressed or proceeded in without the consent of both parents, . . . the rather for that it hath been carried so harshly and inconsiderately by Secretary Winwood ; as, for doubt that the father should take away the maiden by force, the mother, to get the start, hath conveyed her away secretly. . . . Hoping your lordship will not only accept well, but believe my faithful advice, who, by my great experience of the world, must needs see further than your lordship can, I ever rest," &c.

Up to this point no blame can be attached to Bacon. He was the guardian of the young by virtue of his office ; and we have no reason to doubt the sincerity of his objections to a marriage so disreputably initiated, and, as ultimately proved, so disastrous. But, as a politician,

he had made a double mistake. To his dismay he discovered that Buckingham was set upon the marriage, and that, already swollen with the vanity which was his ruin, this new patron would not tolerate being addressed in such a strain. He learned this from three sources: A short note from the Earl, after five weeks' silence, accusing him of scorn and neglect both to himself and his friends; two letters from the King, one of which only is preserved, long-winded and badly written, but defending Coke's ruffianly proceedings, and scoffing at Bacon's excuses; and another of September 3, from his friend Yelverton, who had gone to meet the royal party, now so far on the way back as Coventry, from which and other hints we infer that the offence had been magnified by backbiters with the cortege. The gist of this communication is in the following: "Every courtier is acquainted that the Earl professeth openly against you as forgetful of his kindness, and unfaithful to him in your love and in your actions. That he returneth the shame upon himself in not listening to counsel that dissuaded his affection from you, and not to mount you so high, not forbearing in open speech . . . to tax you as if it were an inveterate custom with you to be unfaithful to him, as you were to the Earls of Essex and Somerset." Yelverton ends by advising Bacon to meet the King at Woodstock, to represent that his action against the marriage was taken jointly with the other Lords, to dwell on the violence of Coke's carriage: lastly comes the best advice, "that you seem not dismayed, but open yourself bravely and confidently, wherein you can excel all subjects; by which means I know you shall amaze some and daunt others."

Of the meeting which took place, we have no reliable record; but the alternative before Bacon was obvious, and his choice, unfortunately, easy to foretell. He had to run the risk of being called on to surrender the Seal he had just assumed, or to be content in future to be at the beck and call of the upstart Antinous and his infatuate master. He chose the latter, confessed his mistake, offered to put his apology in writing, and did all he could to forward the luckless match, which was concluded on the 29th September, amid a great show of reconciliation. On the previous day Coke had been readmitted to the Council. Bacon, on regaining Buckingham's favour, with now reversed relations, after the manner of a prodigal son—the Earl stating that he was forced to kneel to entreat the King to "put no public act of disgrace upon him"—wrote the last of the abject letters that we need quote. In all his correspondence it is the most painful to read:—

"My ever best Lord, now better than Yourself,—Your lordship's pen, or rather pencil, hath pourtrayed towards me such magnanimity and nobleness and true kindness, as methinketh I see the image of some ancient virtue, and not anything of these times. It is the line of my life and not the lines of my letter, that must express my thankfulness; wherein if I fail them, God fail me, and make me as miserable as I think myself at this time happy by this reviver, through his Majesty's singular clemency and your incomparable love and favour. . . ."

It was his sign and seal of lifelong servitude to a man whose whole idea of political life was the acquiring of wealth, power, and splendour for himself; who had not one spark, beneath his external flash, of true gen-

erosity to restrain or genuine patriotism to direct his use of them.

The rest of the year was occupied with minor matters, as a scheme for establishing law reporters, for retrenching on the royal household, &c.; and marked by the death, October 27, of Secretary Winwood, a strong and capable man, though somewhat rough, whose successors, Naunton and others, to the time of the Long Parliament, were of little note. On January 1618, Buckingham was raised to the Marquisate, and the following Sunday the Lord Keeper advanced to the full dignity of Lord Chancellor—an appointment, unlike the other, *ad vitam aut culpam*, and with £600 more of salary. On the 12th of July following he was created Baron Verulam of Verulam. Bacon's career in this new capacity concerns us almost solely in connection with three matters:—

(1.) His ordinary Administration of his office.

(2.) The part he played in the three leading State trials of the time—those of Sir Walter Raleigh, the Earl of Suffolk, and the Attorney Yelverton.

(3.) His Commercial policy.

His public action in other respects is (save where comment upon it has been already made) comparatively insignificant.

I. If (as appears probable from a seeming reference to the Queen's death) the so-called "Second Version of the Advice to Villiers" was written as late as 1619, we must regard it no longer as a letter—for its whole tone is inconsistent with the idea of its being really[1]

[1] The paper being from the style obviously Bacon's, the only alternatives to accepting the view given above are,—to read the expres-

addressed to the then all-powerful Marquis—but as a treatise on Government, in epistolary form, based on the earlier real communication. It is expanded in the author's frequent method, having much the same relation to the original draft that the fuller Essays in the last edition have to the corresponding forms in the first. Being, for obvious reasons, unsuited for present publication, it was left with his memory for the judgment of future ages, to which it conveys a summary of the writer's Home policy; as the subsequent letter to Prince Charles does of his Foreign policy. The most obvious differences between this and the earlier version are the following: A freer tone about the King, as in the phrases "do not flatter him," "he is still but a man," &c.; more detail about suitors; a stronger attitude against the Roman Church, in which Bacon, speaking his mind openly, may have had in view the relaxations suggested by the Spanish marriage plot; half-regretful references to the state of things "in the happy days of Queen Elizabeth"; a more decided injunction to a strict league with the Hollanders; more definite apprehensions of a Civil War, with the thought of its arising in the north; further developments of the mercantile and agricultural theories (for he blends them) in political economy; the suggestion of a subordinate

sion "when there is no queen, *as now*," in its least natural sense, *i.e.*, meaning as now there *is;* or to regard the clause as an interpolation: in either case we might assign to the letter the earlier date 1616. Much under the head of "Justice," in which the writer enters into details, often setting down obvious facts as to Law courts, Parliaments, the Constitution, &c., almost in the manner of a tutor instructing an undergraduate, is manifestly inconsistent with the idea of its having been addressed to Buckingham in 1619.

council for the colonies; and most of all, the following crucial and remarkable passages about the purity of justice:—

"Judges must be men of courage, fearing God and hating covetousness: an ignorant man cannot, a coward dares not be a good judge. *By no means be you persuaded to interpose yourself by word or letter in any cause depending, or like to be depending, in any court of justice*, nor suffer any man to do it where you can hinder it; and by all means dissuade the King from it upon the importunity of any either for their friends or themselves. If it should prevail, it perverts justice; but if the judge be so just, and of so undaunted courage (as he ought to be) as not to be inclined thereby, yet it always leaves a taint of suspicion and prejudice behind it. Judges must be chaste as Cæsar's wife, neither to be nor so much as suspected in the least degree unjust; and, Sir, the honour of the judges in judicature is the King's honour, whose person they represent."

Never, till our own day, has a politician been so disastrously confronted by the expression of his own opinions. At the time when Bacon wrote this, he was constantly allowing others to act, if not acting himself, in direct contravention of every one of his admirable precepts. The fact that, in accordance with the bad practice almost universally prevalent, he had been from the beginning of his judicial career in the habit of receiving presents from suitors, led to his ruin: but when all is sifted, this does not leave so great a stain on his character as his having, during the whole period of his full Chancellorship, 1617-1621, received a flow of letters from Buckingham asking him, as a personal favour to himself, for it is put unblushingly, to favour certain suitors. In most instances all that is openly asked is

to *pay particular attention* to their cases; but the writer often goes further, and requests that something may be done for his clients, inserting or omitting the clause, "as far as may stand with justice and equity." The letters vary in tone from polite suggestions to something like threats; but any one of the thirty that have been preserved would have been regarded by an English Judge of our day as an affront. Even Mr Spedding, who palliates the proceeding on the part of both concerned, admits its indecorum: but he denies that the letters were either designed by Buckingham or allowed by Bacon to affect the course of justice. On the first clause this is surely an excess of charity.[1] The whole recorded relation between the two men makes it manifest that the one had resolved to use to the utmost the power he was conscious of having acquired over the other. That the Chancellor was annoyed by these interferences is obvious; but there is no evidence of his having resented them, Mr Spedding's idea of a probable spoken remonstrance being mere conjecture. The correspondence shows that Bacon gave several decisions in the teeth of the letters, and as the Earl's *protégés* are unlikely to have been always in the wrong, we are free to

[1] What possible innocent interpretation, for instance, can be given to the reiterated appeals in Hansbye's case (Spedd. vi. 312)? After an obnoxious reminder that Bacon had previously received, both from the King and from himself, a request to consider carefully a question about leases, Buckingham, almost insolently, adds, "I am credibly informed that *it will appear* (!) that the said leases are no way liable" (*i.e.*, to legacies); "these shall be earnestly to entreat your lordship that, upon consideration of the report, . . . you will, *for my sake*, show as much favour to young Mr H. in this cause as the justness thereof will permit. And I shall receive this at your lordship's hand as a particular favour."

conclude that when the decrees were favourable they were just; but, according to the maxims of the "Advice," they, in such circumstances, lost some of their value. Still more unfortunately, one case that has been thoroughly sifted exhibits Bacon as not absolutely impregnable even in his judgments. I subjoin a summary of the case—to which, as treasure-trove, almost malignant prominence has been given in Dr Abbott's preface. Divested of legal technicalities, it is as follows:—

A legacy and share of an estate bequeathed to a minor had been left in charge of two executors—his uncles—who, recompensed for trouble by legacies to themselves, were enjoined to lift rents and profits. On the minor's coming of age, the executors, having misemployed his money in a slump with their own, offered the principal, but refused the interest. About this, a considerable sum, a suit began (1617). The uncles objecting to the jurisdiction, Bacon overruled the objection and ordered them to answer on the merits of the case. Delaying till October 28, they were then allowed a special Master in Chancery to decide on their accounts. These were found to be unsatisfactory, and (November 28) a decree was pronounced for interest and principal. A year passed, during which the defendants deferred payment. At last, pressed by order of Court, one of them, Dr Steward, applied to Buckingham for relief. Whereupon the latter wrote to the Chancellor, saying: "Steward thinks the decree hard to perform, and . . . although I know it is unusual for your lordship to make any alterations when things are so far past, yet in regard I owe him a good turn . . . I desire your lordship, if

there be any place left for mitigation, for my sake," &c. Next day he wrote again, almost in a tone of command, "I have written . . . to you in behalf of Dr Steward, and besides have thought fit to use all freedom with you in that as in other things, and therefore . . . tell you that he, being a man of very good reputation, and a stout man that will not yield to anything wherein he conceiveth any hard course against him, I should be sorry he should make any complaint against you. And therefore, if you can devise of any course how you may be freed, . . . I shall be ready to join you in the accomplishment thereof." Thrust to the wall, Bacon "devised" a private interview with the doctor. The theoretical result of this was a reference of the matter anew to a Commission; the practical result was that the unjust Steward was allowed to pay the principal without the interest. If the Commission was a sham, it was in direct contravention of the Chancellor's own protest against "evasive means to ease his burden": if it was a reality, he was guilty of transferring to others the responsibility that should have been borne by himself. In either alternative, the case, if not throwing doubt on Bacon's other decisions (never successfully challenged), shows the relation between the generally weak man with a strong will and the great man with a morally weak will, in its worst light. No example of equal, if of proximate, culpability was adduced, or at all events proven, on occasion of the Chancellor's own trial.

II. While this unhappy correspondence was in progress, one of the three great real tragedies of that and the previous generation, scarce surpassed in interest by

those of Mary Stuart and of Bacon himself, was being brought to a close. Adequately to represent the issues involved in the trial of Sir Walter Raleigh would require a distinct volume devoted to his career and character. Undoubtedly Bacon (Shakespeare in his person as he lived being in the main *nominis umbra*) is the grandest figure of the age; but Raleigh is the most fascinating. Of the versatility and daring of the Elizabethans he remains the chief representative. In a larger sense than that in which the words were afterwards applied, he was "not one but all mankind's epitome."[2] Soldier, courtier, philosopher, and poet, he had carried the spirit of Sidney into the field, and discussed metres and myths with Spenser when it was won. Drake was his only master among the kings of the sea; Bacon himself his only superior in the work of the 'Instauratio Magna.' Known abroad as the champion of the Indians, as the great intercessor for civil and religious liberty at home, he could turn from writing verses, only surpassed in grace by the lyrics of the later Cavaliers, to study "the learning of the Egyptians," or what passed for such before the reign of criticism, and record with an equal credulity and eloquence the annals of antiquity as then accepted. Early among pioneers of European civilisation in the New World, he was the first modern historian of the Old. But this versatility and daring were the causes of his fall. The courtier of Elizabeth refused to pay court to James, and with a confidence surpassing that of his bravest peers he leapt beyond his strength. The story of the Cobham Plot is still involved in mystery. It is probable that Raleigh had entered into some secret

confederacy for the establishment of a freer, though by no means popular, government; for he despised the "vulgar sort" as much as any man living. It is obvious that in the hour of danger his allies betrayed him, and indisputable that he himself did not tell the whole truth in his attestations; but his first trial, with Coke as prosecutor, was the most glaring of the mockeries of justice at a time when men were assumed to be guilty till they had proved their innocence. Condemned to death, he was, as is well known, allowed to linger for twelve years in the Tower. At last the Government, urged by the anti-Spanish party, of which Winwood and Abbot were the leaders, allowed him to go free in quest of the treasures in a mine which he professed to have found on a previous voyage to Guiana. In his sixty-sixth year he re-embarked, with broken fortunes, in a changed world, when the fire of the Elizabethans was in its ashes and the Spanish alliance in its bloom. But Raleigh was unconscious of the change: he still breathed the atmosphere of the men who had chased the yellow banner on the seas, and wrestled with Parma in the Netherlands. He was still the old officer of Condé, the captain who had helped to shatter the Armada, the patron of the 'Faery Queen,' and the fairy land of Eldorado still shone for him over the Atlantic. In 1617 his vessels set sail, but under sentence of failure. The Government of Philip III., already apprised of the design by their alert ambassador, had learnt its details from James himself, who, foreseeing that the pursuit of the mine might involve an encounter with the Spaniards, thought proper to be prepared for either event. Bad weather and mutiny foreran

the final disaster of defeat. After a succession of confused intrigues[1] (involving the relics of the Huguenot party in France), and a rash threat to scour the seas on his own account, Raleigh came back, a ruined man, to Plymouth, was denounced by Gondimar, betrayed by a Stuckley afterwards known as Judas, arrested, privately tried, condemned to suffer the sentence passed on his old offence—for the new could not be proved without awkward revelations—and executed October 29, 1618.

Bacon had little to do with the trial itself; but, after the execution, under circumstances which made their once reputed enemy a hero of the people, he was employed to draw up the "Declaration of the Treasons of Sir Walter Raleigh," in which, if not actually travestying the truth, he put, in regard to every doubtful point, the worst possible interpretation on the actions of the great man, who was no longer able to reply. This odious task, somewhat odiously performed, recalled to men's minds the declaration about Essex, and suggested the idea that Bacon had been through life a paid *Advocatus Diaboli.* It is certainly notable that in the long and intellectually splendid course of his pleadings there is no great defence. That of himself was a collapse. This results in part from the nature of his offices, and the fact that conspicuous men, on trial in those days, were generally their own counsel: it is also due to the cast of Bacon's mind, inclining to maintain the abstract

[1] On the whole of Raleigh's career, in addition to his own defences, I would again refer to Professor Gardiner's History, vols. i., ii., and iii. The chapters read together give the fairest account of the hero's public life with which I am acquainted.

and attack the particular. Half of his philosophical treatises are arraignments of his predecessors; and he was at heart at war with most of his contemporaries. Long trained to seize on weak points, when he recognised his own he at once gave way. Raleigh contrasts with him here as elsewhere; and despite the resemblances to which I have referred, the two men could have little sympathy. As regards the Declaration there is clear evidence of its having been a State paper, often corrected as well as drawn up in ignorance of important facts: it must be remembered that while with us lawyers and statesmen speak through the sovereign, under Elizabeth and James the sovereign claimed and exercised the right to speak through statesmen and lawyers.

No blame belongs to Bacon for his official association with the next important State trial of the time (1619), that of the Earl of Suffolk and his wife for maladministration and peculation in connection with his office of Treasurer. The Countess was admittedly guilty; while the Earl and his subordinates could not clear themselves. Buckingham, who sold the vacant office to Sir H. Montague, was bent on the overthrow of the great house of Howard as the main apparent obstacle to his own domination; but to the victims, in this instance, of their own folly and the intrigues of the favourite, Bacon was, personally, under no obligation, and the services he rendered in the matter might have been demanded of any Chancellor.

The case of Yelverton (1620) was different. He had, in the straits of the Coke marriage affair, been Bacon's best adviser; but found, when in his turn in trouble, that his former friend, far from straining a point on his

behalf, was, in view of his "own particular," bent on demonstrating his impartiality. The assault on the Attorney-General (though it does not appear that the Chancellor was aware of the fact) was really directed by Buckingham who, hostile to an adherent of the Howards, and an adverse critic of his monopolies, had resolved to undermine him on the first occasion. This occurred in 1620, when, in drawing up a charter for the city of London, Yelverton inserted some clauses not authorised in his warrant. For this action, undoubtedly irregular but without any proof of ill intent, he was indicted. As a lawyer, he must have pled guilty to inadvertence, and, before a gracious court, escaped with a slight penalty. Bacon, however, oblivious of past favours from a man out of present favour, pressed for a severe sentence—though not the severest proposed—and contending that carelessness implied presumption (an argument that soon came home to roost), had the offender fined in a sum of £4000, with a nominal imprisonment in the Tower, and the forfeiture of his office.

III. It has been remarked that in 1588, when we fought with Spain, we began in the name of religion, and ended in the furtherance of trade. "By war with Spain," says Professor Seeley, "both England and Holland made their fortunes, and grew to be great commercial and colonising States." The Bayards of the war, Sidney, Essex, Howard, and Greville, at Zutphen, Cadiz, and Flores in the Azores, were doubtless animated with quite other views; but the freedom of our commerce was among the motive forces of the strife. The minds of the leaders of the next generation were more

distinctly bent on the extension of our trade. Bacon recognised its importance; but his commercial policy, set forth with sufficient clearness in the second version of his "Letter of Advice to Villiers," is mainly based on the old Platonic and Aristotelian view that the gain of one country is the loss of another, or, in later phrase, the excess of imports over exports being the standard of national prosperity, native industries, agriculture and manufacture alike, should be encouraged to the discouragement of foreign. Nevertheless, in the same paper he pronounces an almost unqualified condemnation of restrictions within the country itself, declaring, "Care must be taken that monopolies (which are the canker of all trades) be by no means admitted under the pretence or the specious colour of the public good." During the later years of his Chancellorship, however, whether led by the exigencies of his protective theory, or moved by complaisance to his patron (a great seller of privileges) he was inclined to favour most of those which came under his notice. Between a legitimate and an illegitimate patent, it was then difficult to draw the line. The Elizabethan monopolies having been abolished as single grievances, without any principle laid down, or proviso for the future, it was often hard to distinguish between public interests and mere sources for revenue to individuals, who, of course, always based their claim on assumed national benefits. For example, a patent for melting glass was promoted on the ground that the patentees undertook to use coal, and save the wood of the country; another for gold lace, as the makers promised to use only imported bullion. On the other hand, indignation was roused by the large premiums

exacted for monopoly grants by the Villiers family, and by the fact that several of the patentees, notoriously Sir Giles Mompesson (Massinger's "Overreach"), with his coadjutor Sir Francis Mitchell (Justice Greedy), and others, used them for oppressive purposes. Bacon, though conscious of the danger, yet permitted himself to be popularly regarded as a supporter of an abusive system, and was enrolled among the referees appointed to decide on doubtful cases.

Meanwhile he had availed himself of his three months' vacations, with other snatches from State affairs, to prepare, and was at last enabled to offer to the world, the first perfectly mature records of his inner life, in the two books of the 'Novum Organum.' They were published in 1620, with a dedication to the King, a frontispiece, which if theatrical is prophetic, and a confidence increased from that of the ringer of a bell to that of a preacher in the new temple of modern science. The author lived in the favoured days when authors, off the stage, thought less of being paid than of being listened to. His great work, with all its defects an immovable step in the progress of modern thought, was sent widely to the Universities and representatives of learning at home and abroad. The answers, as to everything new and strange, were in the main complimentary rather than appreciative. Two, perhaps unknown to the donor, were insolent. Coke wrote upon his copy—

> "Instaurare paras veterum documenta sophorum ;
> Instaura leges, justitiamque prius,"

and, in view of the frontispiece, "an item of cargo for the ship of fools." James could only make the com-

ment, "It is like the peace of God, it passeth understanding." Bacon must have been disappointed with the reception accorded by his contemporaries, being far removed from an indifferent Cincinnatus or a sublime Aurelius; but he relied on the wider audience to which Sir Henry Wotton gave a voice when he said of the book, "It is an eternal benefaction for all the children of nature, and for nature herself, who never had a more noble interpreter." He must have felt, either in his gardens at Gorhambury, or his too stately mansion of York House, that he was, to an extent that no man in England has been before or since, the real Premier of the realm. The members of the feast on the Chancellor's sixtieth birthday, to which Ben Jonson contributed his well-known and oft-quoted lines, must have felt the same. It was not only the feast but the apotheosis of reason. A few days after, Bacon received at Theobalds the letters-patent of Viscount of St Albans. Three days later the new Parliament met.

CHAPTER VII.

BACON'S FALL AND RETIREMENT.

1621–1626.

THE fall of England's greatest Chancellor was as sudden as that of his most prominent predecessor Cardinal Wolsey. Earlier it might have been the crowning theme of Juvenal, Boccaccio, Chaucer's "Monk's Tale," Lydgate, or Sackville, as it has been the recurring text of later preachers on "The Vanity of Human Wishes"; but the most impressive sermon ever delivered on it is that, by anticipation, of Raleigh towards the close of his universal History. "If we seek a reason of the succession and continuance of this boundless ambition in mortal men, we may add to that which hath been already said, that the kings and princes of the world have always had before them the actions but not the ends of those great ones which preceded them. They are always transported with the glory of the one, but they never mind the misery of the other till they find the experience in themselves; whereon follows the great apostrophe, 'O eloquent, just, and mighty death!'" Bacon's civil death (for such his sentence was) has been

referred to as a prelude to the overthrow of the Government he served, and as the Nemesis, coming with sure though lame foot, of his own former severities to greatness in the shade, and servilities to greatness in the sun. Both suggestions add rhetorical point to the catastrophe and have a basis in fact; but the most startling circumstance about his overthrow was its unexpectedness. "There had been," says Dean Church, "and were still to be, plenty of instances of the downfall of power, as ruinous and even more tragic. . . . But it is hard to find one of which so little warning was given, the causes of which are in part so clear and in part so obscure. . . . Every public man, in the England of the Tudors and the Stewarts, entered on his career with the perfectly familiar expectation of possibly closing it . . . in the Tower and on the scaffold. . . . So that when disaster came, though it might be unexpected as death is unexpected, it was a turn of things which ought not to take a man by surprise. But some premonitory symptoms usually gave warning. There was nothing to warn Bacon that the work which he believed he was doing so well would be interrupted." The same writer, more questionably, asserts that the Parliament of 1621 "met in good humour," because, pressed by the demands of domestic and foreign affairs, they made no trouble about a large vote of money, and at once took up one of the Chancellor's beneficent measures, the revision of the statutes. As far as we can judge men's tempers by words and acts, they met in a very dubious humour. Softened by the conciliatory opening address of the King and resenting the Spanish invasion of the Palatinate, they were ready, indeed, to grant supplies, but on the alert to push their

long silent grievances and to detect and punish abuses. Mompesson, who had married the sister of Buckingham's wife, and Mitchell, made themselves odious by the oppressive zeal with which they hunted down and persecuted all those suspected of infringing the patent; the silk merchants and goldsmiths being urged by the former to sign bonds to sell their wares to none but those who had a licence for the work, with the threat that if they refused "all the prisons in London should be filled." Another aggravation was the fact that Sir Edward Villiers, against whom indignation was rising, was deeply involved in the affair.

In spite of all the resources of law and violence, the gold-lace manufacture did not prove lucrative, and Bacon, writing to the Marquis, advised in characteristically cautious words, "like Ovid's mistress, that strove, but yet as one that would be overcome," the withdrawal, to "put off the envy of these things" of such patents; but it was too late to allay the storm. Buckingham in the House of Lords, with characteristic treachery, tried to divert odium from himself by laying the blame on the referees; and Coke, who now led the Commons, vehemently supported a motion for inquiry into their action. The appointment of a committee to report on the patents on inns and alehouses resulted in the imprisonment of Mitchell, the confession and afterwards the flight of Mompesson. The accusers having tasted the blood of meaner offenders, now flew at higher game, and seeing that matters were pointing to an impeachment of State officers, hitherto amenable only to himself, the King interposed, but in vain. Sir Lionel Cranfield, an upstart tradesman who posed as a rigid economist, now

Master of the Wards (between whom and the Chancellor there was a rooted dislike) reopened the matter in the Commons. At a conference with the Lords, Bacon and Montagu were reprimanded for speaking; and afterwards Buckingham himself was silenced by Southampton, who had not forgotten injuries however adroitly disclaimed. When a man is in danger, his enemies, if not his friends, are speedily revealed. The investigation was pressed; and Bacon, now scenting mischief in the air, tried to brace the King to resistance, in words a generation later verified at Whitehall: "Those that will strike at your Chancellor, it is much to be feared will strike at your crown. I wish that as I am the first I may be the last of sacrifices." Another of the "mean men" who now appear, like a pack of hounds in cry, Williams, then Dean of Westminster, was among the first to put into shape the policy afterwards adopted by Charles to Strafford, "When the sea runs high, throw your friends overboard, and call yourself the great reformer." James, however, felt his own prerogative assailed in the question of the referees: it was staved off for a time, and Bacon wrote cheerfully to Matthews, "*Modicæ fidei quare dubitasti.*" But the excitement in the air grown electric, stimulated the zeal of another committee on abuses, the president of which, Sir R. Phelips, had brought forward a proposal for inquiry into the proceedings of the Chancery, not only accepted but urged by the Chancellor himself. Phelips, however, had to report the receipt of "divers petitions, many frivolous and clamorous," but "many of weight and consequence," against the Chancellor's Court; and one of the minor malefactors, who in emergency seek to

escape by denouncing their masters, a certain John Churchill, wont to exact fees for forged orders, obtruded a series of revelations. These seem in the first instance to have merely pointed out inattention and mismanagement, especially regarding the servants of the Court. But now was evidently the time for every justly or unjustly dissatisfied person to complain; and by the middle of March the committee had to report two cases (those of Christopher Aubrey and Edward Egerton) in which the Chancellor was accused of having received bribes in the discharge of his office from suitors while their cases were still pending.

Immediately on hearing of the first petition presented against him—*i.e.*, March 14—Bacon wrote to Buckingham saying he was in "Purgatory"; that if this was to be a Chancellor, and "the Great Seal lay on Hounslow Heath, nobody would take it up;" and praying his lordship, with the King, to "put an end to his miseries." A severe attack of illness on the 18th confined him, during the short remainder of the term, to his house; and Chief-Justice Ley temporarily took the chair of presidency in the Peers. The case proceeded: a third complaint was lodged by old Lady Wharton, from whom the Chancellor had accepted a purse of gold; and then, as water through a rent, others came pouring in. On hearing of the second petition, Bacon wrote to the Lords asking them to construe his absence rightly, to let him advise with counsel, and confront the witnesses brought against him; lastly, in event of more petitions, not to be staggered by their number, against a Judge called on to make two thousand decrees and orders in a year.

The Lords,[1] to whose hands the case had been remitted, replied that they intended to proceed according to the right rule of justice, and would be glad if he could clear himself.[2] Bacon seems at first to have been satisfied with the jurisdiction being removed from the hostile influences of Coke and Cranfield: his illness having abated, a correspondent of the time speaks of him as even merry and confident in being able to calm the tempests. In a letter to the King, however, of 25th March, after expressing himself as at a loss to understand the storm,—as he has never made himself unpopular by harshness, oppression, or hauteur, and inherited no hatred,—he hints at the possibility of his having been to some extent infected by bad customs.

On the day following, James came to the Houses, promising the Commons, in return for their grants and forbearance about the referees, to "strike dead" the three obnoxious patents; admitting the authority of the Peers as a supreme criminal court, impressing the necessity of proceeding in so grave a matter as that before them with circumspection, but undertaking to carry out their mandate. Buckingham, whether from a last flash of regard for the man who had given up to him so much, or fearing that the impeachment of a Chancellor might be a precedent dangerous to himself, at first

[1] James had tried in vain to get a select body of judges. The remit was made after a conference with the Commons.

[2] The *prima facie* injustice of the same body being both prosecutors and judges, and no witnesses heard on Bacon's behalf, is of course dilated on by Mr Spedding, and admitted by Dean Church; but, had Bacon elected to stand his trial, the defect, as far as regards the want of witnesses, might have been remedied.

proposed the extreme measure of again dissolving Parliament; but, finding this in vain, wheeled round, and, in the spirit of Williams's advice, resolved to join the hunters—"with so bad a case he could have no sympathy." Mompesson had been sentenced, in exile, to imprisonment for life; but a higher sacrifice was required, and Bacon was selected as the scapegoat. He went off about this time for rest and change to his country seat at Gorhambury, where he still kept up such pomp that, seeing his coach and horses, Prince Charles is reported to have said, "Do we what we can, this man scorns to go out like a snuff." Under the surface, however, he was mentally as well as physically depressed, and in anticipation of a near end, made, 10th April, the first short draft of his will, beginning—"I bequeath my soul to God above, by the oblation of my Saviour. My body to be buried obscurely. My name to the next ages and to foreign nations." A few days later he wrote the majestic prayer to which Addison refers as more after the manner of an archangel than of a man. The phrase is perhaps not without reference to a certain want of simplicity in the composition, which is rather like a passage for a nation's liturgy than the outpouring of a broken spirit. Meanwhile the committees appointed to examine the case, after sifting the charges, made out (April 17, 1621) a list of twenty-eight definite accusations. Bacon, who in the interval had been looking up precedents, applied for an interview with the King for which he prepared the following note, bringing his case more near to a point:—

"There be three degrees or cases of bribery charged or supposed in a judge:—

1. The first, of bargain or contract for reward to pervert justice, *pendente lite.*
2. The second, where the judge conceives the cause to be at an end by the information of the party, or otherwise, and useth not such diligence as he ought to inquire of it.
3. And the third, when the cause is really ended, and it is *sine fraude* without relation to any precedent promise.

. . . . . .

For the first of them I take myself to be as innocent as any born upon St Innocent's Day, in my heart.

For the second, I doubt, in some particulars, I may be faulty.

And for the last, I conceived it to be no fault, but therein I desire to be better informed, that I may be twice penitent, once for the fact, and again for the error. For I had rather be a briber than a defender of bribes.

I must likewise confess to your Majesty, that at New Year's tides, and likewise at my first coming in (which was as it were my wedding), I did not so precisely, as perhaps I ought, examine whether those that presented me had causes before me, yea or no.

And this is simply all I can say for the present concerning my charge, until I may receive it more particularly. And all this while I do not fly to that, as to say that these things are *vitia temporis,* and not *vitia hominis.*"

From this position Bacon never materially receded; for even when it was made clear that some gifts had been received *pendente lite,* he maintained that he had been misled. At this date he still clung to the hope that the King might interpose; but he only asked for a fair trial to rebut false charges and plead extenuations. James, acceding to this request, could go no further, and declined to interfere with the action of the Lords. When (April 19) the reports came in, the Chan-

cellor, now fully alive to the gravity of the case, thought no more of escape, and betook himself to plead for a mitigation of sentence. On the 21st, knowing still more of the charges, he suggested that his accusers might be satisfied with the surrender of his place. "This," he writes to the King, "I move with the more belief, because I assure myself that if it be reformation that is sought, the very taking away the Seal upon my general submission, will be as much an example, for those 400 years, as any further severity." The conclusion of this letter, often in nearly the same words repeated, is interesting, as marking some of the designs before the writer's mind, his indomitable spirit, and his pertinacious habit of recalling past eminence, and offering future services in return for future favours:—

"This is the last suit I shall make to your Majesty in this business, prostrating myself at your mercy-seat, . . . and now only craving that after eight steps of honour, I be not precipitated altogether. But because he that hath taken bribes will offer bribes, . . . if your Majesty give me peace and leisure, and God give me life, I will present you with a good history of England, and a better digest of your laws."

If James was ever likely to set store on the labours of either a Tacitus or a Justinian, it is certain that those and similar appeals, now and after, were wholly thrown away. They remain, with their pathos, eloquence, finesse, even with rare sad rays of wit, as fresh and almost heart-rending tokens of the most inveterate infatuation ever recorded in the lives of the great.

On the following day Bacon, having made up his mind not to face a trial,—moved, as he puts it, to "desert

the defence,"[1]—addressed the Lords directly and without entering into particulars, made a general confession of his guilt, craving only a "benign interpretation." Thereon follows one of those noble reflections which may have helped to sustain his spirit more than all the troops of servants he retained. "In the midst of a state of as great affliction as mortal man can endure, honour being above life," he professes himself, "though the unhappy anvil on which these effects are beat, . . . to take no small comfort in the thought that, hereafter, the greatness of a judge or magistrate shall be no sanctuary of guiltiness, which in few words is the beginning of a golden world." For his own part he offers to resign the Great Seal, and adducing, after his wont, examples from Roman history, pleads for "mercy and mitigation." Bacon's motive in adopting this course is not hard to conjecture: it is in accord with the character of a man who, though often fired with national fervour, had personally none of Raleigh's fighting capacity. As soon as he realised that the game was lost, and saw that arbitrary royal interference was impossible, he threw up the cards, as in the matter of the Coke marriage he had suddenly given way to Buckingham. He preferred to abase himself generally to being confronted with harassing details, or brought face to face with the ghosts of forgotten transactions of which he had no wish to be reminded. Relying on his great name in dramatic contrast with his humility, he thought the hearts of his hearers would be touched to give him the benefit of

[1] I see no ground for Spedding's suggestion that Bacon may have had a defence, but felt it would be overborne by the flood of feeling against him.

every doubt, and accept as adequate his self-allotted punishment. But, however explicable Bacon's proposal, the Lords were not only justified but in equity constrained to reject it. Definite articles of indictment demanded definite answers if justice on both sides was to be done. The difference in the nature of the charges, ranging from the reception of gifts under circumstances which, according to the standard of the time, rendered them harmless, to that of being actually corrupted, made it essential to ascertain not only that there had been wrong done, but what was the extent of it. To have taken for granted that the Chancellor had been guilty of the gravest offences, would have been injustice to him: to have assumed that he was only chargeable with the lightest, would have been an excess of favour from which his own previous attitude in the case of Yelverton, if nothing else, debarred him. Other considerations contributed to the result. The hue and cry in the Lower House, led by Coke as Hercules Furens, without which the charges would probably never have been brought forward, was growing shriller. That Bacon had enemies also among the Peers was manifest in the prominent part taken against him by Southampton, and the more decidedly vindictive attitude of Suffolk. The former moved and carried that "the House could not proceed without particular confession;" the latter insisted on the accused being personally called to the bar: this was waived, and the charges were sent by letter, Buckingham and the Prince (Charles) being alone in favour of the still milder course of accepting his submission.

On April 30th, Bacon as Chancellor, attached his last

official signature to a review of the twenty-eight allegations, acknowledging some, explaining or extenuating others, and ending with a final appeal for clemency. At last (May 3d), after a discussion in which Southampton talked of banishment, and Howard (Suffolk's son) moved for a degradation of title, the famous sentence, agreed to, with the satisfactory note *dissentiente* Lord Admiral,[1] was passed as follows :—

"This High Court doth adjudge :

1. That the Lord Viscount St Alban, Lord Chancellor of England, shall undergo fine and ransome of forty thousand pounds.
2. That he shall be imprisoned in the Tower during the King's pleasure.
3. That he shall for ever be incapable of an office, place, or employment in the State or Commonwealth.
4. That he shall never sit in Parliament, nor come within the verge of the Court."

The committal to the Tower, delayed on ground of illness, was insisted on by Southampton and enforced for a few days at some date at the close of the month. Bacon was released on the 4th of July, in answer to a peremptory note to Buckingham. "Procure the warrant for my discharge this day," ending with a reference to his sentence as just, despite his being the justest Chancellor since his father's time ; a sentiment afterwards slightly varied in form : "I WAS THE JUSTEST JUDGE THAT WAS IN ENGLAND THESE FIFTY YEARS. BUT IT WAS THE JUSTEST CENSURE IN PARLIAMENT THAT WAS THESE TWO HUNDRED YEARS." The almost rancorous criticism that has assailed

[1] Buckingham had succeeded the Earl of Nottingham, removed on a charge of extravagance.

the first part of this summary, and the blind partisanship which discards the second, are equally at fault. Bacon's trial, irregular or novel in form, and pressed from various motives, was, apart from the severity of the sentence, a fair one. Against the fact that the witnesses in accusation were not cross-examined for the defence, we must set the other that no regular defence was made; and that Bacon's answers were accepted on the same footing as the allegations. These allegations, as Macaulay points out, were naturally made only by disappointed litigants; but in the course of the examination any cases in which bribes had done their work would almost certainly have been disclosed; as every judgment favourable to one party in a suit must be adverse to the other. We may therefore fairly presume that as no such cases were brought forward none existed, and that Bacon is acquitted of having been in the worst sense a corrupt judge—*i.e.*, of having ever allowed his decision to be perverted by money; as in the case of Dr Steward he allowed it to be revised under political pressure. For gifts received from suitors out of court, in accordance with a bad practice, he could safely plead *vitia temporis;* but he was proved, by his own confession and otherwise, to have received on several occasions considerable sums of money or their equivalent from suitors, sometimes from both sides together, when he ought to have known that the case was still in process: further, he was shown to have borrowed moneys from suitors, under the same circumstances, and to have been grossly careless about his servants, who carried and often took presents, probably on making promises as to their effect. That the requests accompanying such gifts were fair-sounding—

e. g., to "expedite" or "give special care" to certain cases—does not much mitigate their receipt; no suitor in law being entitled to any sort of preference over another. Generally they were given in silence, and sometimes slily, which made them all the worse; for they were offered by persons who, in some way or other, hoped to gain by them, and were indignant when they did not. Neither is it of material consequence that a question might have been raised as to the application to the Chancellor of the oath then imposed on the justices. So high an officer should not require to be sworn like a policeman; his honour was, in the culprit's own words, like Cæsar's wife. Bacon had written, 1612, in his "Essay on Great Place": "Do not only bind thine own hands and thy servants' from taking, but bind the hands of suitors also from offering; for integrity used doth the one, but integrity professed, and with a manifest detestation of bribery, doth the other. And avoid not only the fault but the suspicion of corruption." Forgetting or ignoring this and much more to the same purpose, —*e. g.*, "As for facility, it is worse than bribery: for bribes come but now and then; but if importunity or idle respects lead a man, he shall never be without"—he, though in a sense incorrupt, had "done the things that corrupt men begin by doing. He had satisfied himself with judging justly, and had been almost invariably careless of his conduct in the eyes of others;" and carelessness was unfortunately a fault for which, in judging others, he had little in excuse to say.

Bacon, always in the ancient sense a magnificent, was never an exact man, and a great part of his life was dogged by cares of his own creating. Without being

avaricious, he was lavish, "princely in giving" as Wolsey, and as fond of state. He spent immense sums on York House and in maintaining a sort of court at Gorhambury. His own lists show that he kept a royal retinue of servants, and report adds that they were allowed to rob him unchecked.[1]

It is, observes M. de Rémusat, one of the whims of great minds to look at the minute examination of affairs as a meanness; and when his friends warned Bacon to look around him, he said, "I look above." Hence his temptations and incapacity to resist them; hence, when they had brought him to ruin, he was unable to face it with due dignity. When fortune shook her wings, he was not content to wrap himself in his virtue, or to be in his autumn, more than in his spring, "a quiet pioneer in the mine of truth." If any further refutation is required of the idea that his public was merely a fringe of his inner life, it is to be found in the long series of lamentable letters from his fall to his death, asking, urging, imploring for the complete removal of his sentence. Much of it was soon annulled: his discharge from the Tower was followed by a short residence of constraint in the house of Sir John Vaughan at Fulham, and then he was set free. His fine too was soon remitted, after having served him as a fence against other creditors; but he was unsatisfied, at heart barely grateful. His sentence might have been just: he held it to be severe, and desired, expected, almost

[1] Many had their own horses. One page intercepted a cabinet of bijoux sent from an Indian company; another bought land in Somerset to the value of £1000. He himself gave £50 to a messenger bringing a present from the King. His household was overrun with corruption, which his wife had either no wish or no power to control.

claimed a full pardon. Especially he mourned over his exclusion from the precincts of the Court, complaining of the want of books for his work, and insisting, like a Peri shut out from Paradise, on his grief in being kept from the presence of the King. It was his way of intimating his desire to be restored to the life after which, when all was done, he still thirsted as the hart after the water-brooks. "It is strange," he writes, "to seek power over others and to lose power over a man's self. The rising into place is laborious, and by pains men come to greater pains; and it is sometimes base, and by indignities men come to dignities. The standing is slippery, and the regress is either a downfall or else an eclipse, which is a melancholy thing. Nay, retire men cannot when then they would, neither will they, when it were reason, but are impatient of privateness, even in age and sickness, which require the shadow." Bacon could accept the term of his career as a lawyer, never its term as a statesman, which had now also come. Certainly it is true that "he was not one man as a thinker and another as a politician," and that "if ever a man was fitted by nature and study to be the leader of a great nation it was he." In both politics and philosophy he found himself too far in advance of his age to secure a hearing; in both he failed from the faults of others and his own; but he would in neither sphere accept defeat. "We do not live in Plato's Commonwealth: when you cannot accomplish what you will, accomplish what you can," is the motto at once of his life and moral theory: in both directions the strength and the weakness of his character prevented him from abandoning in despair the thankless task.

In pursuit of his purpose Bacon wrote persistently to every one of influence, to James himself, to Buckingham, Williams the Keeper and his enemy, Digby, Cranfield his accuser who had now supplanted Montagu as Treasurer, to Meautys his faithful secretary, and Matthews his steadfast friend, and, strangest of all, to Gondomar, who seems to have been his advocate. In all these letters the old tone of the suitor, who has in his hand answering gifts, is mingled with that of the suppliant. Whether pressing for aid in his cathedral service to Nature and to men, soliciting recognition of his contributions to national history, or mourning his want of the "beggarly elements," there is the same mixture of dignity and abasement. He is the King's bedesman, hermit, monk, Belisarius, but with the consciousness[1] of having done work to outlast, and laid foundations beyond the fathom of, his age. Never were petitions so obstinate, so eloquent, so rich in varied phrase and apt allusion, or so pitiful. It is the greatest and saddest canvass in biography. Stinted in means and beset by creditors who swarmed about his pension of £1200, he still clung to old associations and had a relic of the old hauteur. Hardly anything is more painful in this period of decline than the wrench with which he parted from his ancient home near Inigo Jones's Gate. "I am sorry to deny your Grace anything," he wrote to the Duke of Lennox on his application for it, "but in this you will pardon me. York House is the house where my father died and where I first breathed, and there will I yield my last breath, if it so please God and the

[1] *Vide* in letter to Gondomar, December 10, 1621, "Neque omnino intermoriar apud posteros."

King will give me leave; though I be now (as the old proverb is) like a bear in a monk's hood." Buckingham, however, was bent on Naboth's vineyard, and, on being refused, threw himself into an attitude of such reserve that Bacon drew up a memorial for an interview with him in an almost indignant tone. "Afflictions are truly called trials—trials of a man's self and trials of friends. . . . For the first I have not lived like a drone or like a malcontent." The interview did not take place, and Bacon, warned by Sir Edward Sackville of the worst consequences from holding out, was driven to let the Marquis have the house, assumed indirectly through the insulting medium of Cranfield, now Lord Treasurer. Shortly after, the exclusion from the Verge was withdrawn, and the general pardon fully signed; but the prohibition from attending Parliament was still in force. To have this removed Bacon (whose case was no worse than that of Suffolk) further emboldened by the release of the Somersets, perpetually hoped, and with so much confidence as to make out the notes on a war with Spain, above referred to, for the session of 1624.[1] The other petitions are appeals in what seem pecuniary distress (*e.g.*, the unsent letter to the King in the autumn of 1622, with the reference to the bag and wallet) resulting from delays in the payment of his pension; but he abstained from selling Gorhambury or its woods, and his will shows that he still imagined himself to be possessed of a fair property, however difficult it may have been during his life to realise. His final canvass was a suit for the Provostship of Eton,

[1] At this same date he offered to go to Paris to negotiate an alliance between the Prince and Henrietta Maria.

vacant in the autumn of 1624: it was given to Sir Henry Wotton, who had an equivalent, the reversion of the Mastership of the Rolls, to place at Buckingham's disposal. To the last the fallen statesman and reduced magnifico came in to importune and distract the philosopher: he wished before the end that "the blot of ignominy should be removed from his name," and opportunity given him to retrieve it. After James died (March 27, 1625), and Baby Charles became king (under Villiers, since 1623 the almost omnipotent Duke), Bacon was still bent on reknitting the old ties; and, recovering from one of the attacks of severe illnesses to which he was at this time frequently exposed, renewed to both, and to both in vain, the old supplications. His last letter to the Duke, of January 1626, ends with the words, "I marvel that your Grace should think to pull down the monarchy of Spain without my good help." In another mood, a few months before, he had written to the Queen of Bohemia that his best fruits were now his writings. To the same princess, illustrious by her misfortunes and the verse of Wotton, he had before addressed himself with a phrase which, slightly modified, has had a recent currency: "I have read in books that it is accounted a great bliss to have *Leisure with Honour*.[1] That was never my fortune. For time was I had Honour without Leisure; and now I have *Leisure without Honour*. But my desire is now to have *Leisure without Loitering*."

Whatever may be said of the malcontent, Bacon certainly had nothing of the drone: he had right to boast, "though the world hath taken my talent from me, yet

[1] The original being, of course, *otium cum dignitate*.

God's talent I put to use." An activity so unparalleled neither the cares of office, nor illness, nor vexation of spirit, nor the shadow of disgrace, or of age, could impede. His work as a lawyer and statesman would have filled a life had not his labours as a philosopher and man of letters been sufficient to adorn it. *Vergentibus annis*, and in external decay his spirit had still in it "earnest of far springs to be": with an energy like that of Scott after his ruin, he set himself to add fresh tiers to his enduring monument. Five months after his fall he had completed his 'History of Henry VII.':—a work which, however marred by defects of detail, has in it evidence of the first qualities of his mind, and has received the praise of Grotius and of Locke as a model of special history, at the time when the idea of a really philosophical history was unknown. In the following year he began his 'History of Henry VIII.,' the existing fragment being, according to Rawley, one morning's work; and his projected History of Great Britain, besides making contributions to his 'Digest of the Laws of England and Scotland,' writing his 'Dialogue on the Sacred War,' with a dedication to Andrews as interesting as the work itself; together with many of his more definite contributions to Natural History, all valuable if often inexact auxiliaries of his great scheme. In 1623 appeared the 'De Augmentis,' scarce inferior in scope and originality to the 'Novum Organum' itself. "*Det vestra Majestas obolum Belisario*," he writes in his dedication to the King, "for this poor fruit of his leisure." To the same year, in all probability,[1] we are

[1] See the question discussed, with an account of this and the above-named works, in Part II.

indebted for the unfinished sketch of the 'New Atlantis' (which he had previously designed as a half-practical, half-poetical suggestion of his College of Thinkers), afterwards partially realised in the Royal Society, an Institution traceable, according to Cowley, to the suggestions of the man—

> "Whom a wise king and nature chose
> The Chancellor of both their laws."

The year 1625 saw the last edition of the 'Essays,' into which, as we shall have further to note, he condensed his experience of the way of the world. During the last year of his life, still occupied with suing and pursuing, he was mainly engaged in adding lists and facts to his 'Sylva Sylvarum,' a collection of patterns and processions of the universe, the record of the observations of an almost universal mind. We have only to add to the list a translation of the Psalms, a few more contributions to our lay Litany, and some minor verses. Those beginning,—

> "The world's a bubble, and the life of man
> Less than a span,"—

have merit, and recall some of Raleigh's. But when Aubrey tells us that he "concealed his talent as a poet," we have reason to add with success. His verse seems to have been written to prove, if further proof were in demand, that he had no direct concern at all events in the form of the dramas of the only one of his great contemporaries whom, by some strange chance, he never names.

If the rule *Noscitur a sociis* be accepted, Bacon

stands well. It has been truly said that he rarely admits us to his fireside; but all accounts agree that it had a hospitable glow. Nor at the Mermaid Tavern, nor in later times at Brooke's or at Twickenham, at the Kit Cat or Garrick Clubs, could we have had better company than that which talked and laughed and speculated, and interchanged *bon mots*,[1] around the board at York House or Gorhambury, while the flowers exhaled their fragrance and the music rang, where the great Chancellor gathered about him the choicest spirits of the time. There poets, thinkers, men of science and of the world, jurists and diplomatists, associated on equal terms. There were to be met Ben Jonson, the Laureate; Davies, the Chief-Justice of Ireland, and author of the 'Nosce Teipsum,' an attempted answer to Lucretius; and Fulke Greville, Lord Brooke, whose 'Treatise on Wars' divides with Cyril Tourneur's 'Transformed Metamorphosis' the ambiguous praise of the most obscure poem in the language previous to the appearance of Browning's "Sordello"; Sir H. Wotton, the author's cousin and successful rival; Sir T. Bodley, ambassador to the Court of Henry IV., who refounded the great library of the Duke of Gloucester at Oxford; Launcelot Andrews, Bacon's lifelong friend and frequent intercessor, the Homer of the pulpit, who founded the Society of Archæologists, of which Sir Philip Sidney was a member; John Selden, the wisest and least pedantic of antiquaries, who helped his host with his precedents, and may have gathered from his society material for the 'Table-Talk' that links the Elizabethan

[1] Bacon has preserved a selection of these under the name of "Apophthegms."

and the Cromwellian age; with Thomas Meautys, loyalest of secretaries, making his patron "feel his riches in his fall"; Toby Matthews, the translator of St Augustine, who, amid transitions of faith and dwelling, never lost faith in his early friends; and William Rawley, the honest chaplain, who has embalmed his master's memory in terms affected by his master's style:—

"There is a commemoration due as well to his abilities and virtues as to his course of life. Those abilities which commonly go single in other men . . . were all conjoined and met in him. Those are sharpness of wit, memory, judgment, and elocution. For the former three his books do abundantly speak them; which with what sufficiency he wrote, let the world judge; but with what celerity he wrote them I can best testify. But for the fourth, his *elocution*, I will only set down what I heard Sir Walter Raleigh once speak of him. . . . That the Earl of Salisbury was an excellent speaker, but no good penman; that the Lord Henry Howard was an excellent penman, but no good speaker; but that Sir Francis Bacon was eminent in both. . . . If there were a beam of knowledge derived from God upon any man in these modern times, it was upon him. For though he was a great reader of books, yet he had not his knowledge from books, but from some grounds and notions from within himself; which notwithstanding he vented with great caution and circumspection. . . . I myself have seen at the least twelve[1] copies of the 'Instauration' revised year by year, one after another, and every year altered and amended in the frame therefore, till at last it came to that model in which it was committed to the press; as many living creatures do lick their young ones, till they bring them to their strength of limbs. In the composing of his books he did rather drive at a masculine and clear expression than at any

[1] Cf. the tradition of Plato's twelve recasts of the opening sentences of 'The Republic'—*Sic itur ad astra.*

fineness or affectation of phrase. . . . And if his style was polite, it was because he could do no otherwise. . . . His meals were refections of the ear as well as of the stomach, like the 'Noctes Atticæ,' . . . wherein a man might be refreshed in his mind and understanding no less than in his body. . . . In which conversations and otherwise he was no dashing man, as some men are, but ever a countenancer and fosterer of another man's parts. Neither was he one that would appropriate the speech wholly to himself, or delight to outvie others, but leave a liberty to the co-assessors to take their turns. . . . And for himself, he contemned no man's observations, but would light his torch at every man's candle. His opinions and assertions were for the most part binding, and not contradicted by any; rather like oracles than discourses; which may be imputed either to the well-weighing of his sentence by the scales of truth and reason, or else to the reverence and estimation in which he was commonly held. . . . When his office called him . . . to charge any offenders, . . . he was never of an insulting or domineering nature over them, but always tender-hearted, and carrying himself decently towards the parties, . . . as one that looked upon the *example* with the eye of severity, but upon the *person* with the eye of pity and compassion. . . . He was a good master to his servants, ... which was the cause that so many young gentlemen of blood and quality sought to enlist themselves in his retinue. . . . This is most true—he was free from malice, which (as he said himself) *he never bred nor fed.* He was no revenger of injuries, . . . no heaver of men out of their places, . . . no defamer of any man to his prince. . . . His fame doth not decrease with days since,[1] but rather increase. . . . Several persons of quality, during his lordship's life, crossed the seas to gain an opportunity of discoursing with him. . . . Amongst the rest Marquis Fiat, a French nobleman, . . . ambassador to England in the beginning of Queen Mary,

[1] Rawley's sketch introduces the 'Resuscitatio,' published in 1657.

wife to King Charles. . . . And when he came to him, being then through weakness confined to his bed, the Marquis saluted him with this high expression, *That his lordship had been ever to him like the angels, of whom he had often heard and read much of them in books, but he never saw them.*"

The same impression of Bacon's character is left by Matthews, who writes: "I never saw in him any trace of a vindictive mind, . . . never even heard him utter a word to any man's disadvantage, from personal feeling. . . . It is not his greatness that I admire, but his virtue; it is not the favours that I have received from him (infinite though they be), but it is his whole life and character that have thus enthralled and enchained my heart." To which we may add the more unsuspicious testimony of the surly Ben Jonson: "What I feel for his person has never been augmented by his place. I hope his disgraces will only serve to show his virtue in a clearer light. May God grant him fortitude in his adversity; greatness could never fail him." These are the testimonies of friends, who fail to inspire us with all their own love of the subject of their eulogy. They were written at a time when "to suggest what a man should be, under colour of praising what he is, was a form considered due in civility to the great." But they unite with others in bearing witness to the stainlessness of Bacon's private life, his perfect temperance, self-possession, modest demeanour, and his innocent pleasantry. They combine in giving us a picture of the man utterly incompatible with the anomalous monster of Lord Macaulay, or with the mixture of Iscariot and Titus Oates set before us by Dr Abbott.

It has been said that Bacon's work, in purely natural

science, "shows a mind curious and zealous, rather than skilful in the interpretation of nature," and that this disposition cost him his life. On an icy day (April 2, 1626), going to dine with the King's Scotch physician, Dr Witherborne, in the environs of Highgate, he on his way stepped from his carriage, and purchasing a hen, killed and with his own hands stuffed it with snow to test the effects of cold in arresting putrefaction. From this he caught so severe a chill that, unable to go home, he sought refuge in the house of the Earl of Arundel, where (April 9) he died of an attack of bronchitis; Sir Julius Cæsar, Master of the Rolls, assisting at his last moments. He was buried, as he had desired, near his mother, in the Church of St Michael at St Albans—"the only church then remaining," says Rawley, "within the precincts of old Verulam."

His monument, in white marble, "representing his full portraiture in the posture of studying," was contrived by Sir Thomas Meautys; underneath it is the epitaph composed by Sir Henry Wotton:—

FRANCISCUS BACON, BARO DE VERULAM, ST ALBANI VICMES,
Seu Notioribus Titulis
Scientiarum Lumen, Facundiæ Lex
Sic Sedebat:
Qui Postquam Omnia Naturalis Sapientiæ
Et Civilis Arcana Evolvisset,
Naturæ Decretum Explevit.
Composita Solvantur.
AN. DNI. M.DC.XXVI.
ÆTATIS LXVI.

Shortly before his death, Bacon had remade his will.

The only clauses to which we need advert are: the generous dispositions to his servants; his remitting to Williams, now Bishop of Lincoln, in concert with Sir R. May, to publish his discourses—a trust accepted, but not fulfilled; a legacy to Lady Coke; endowments for twenty-five poor scholars and two lectureships in the Universities, which his estate was found insufficient to meet; lastly, the codicil revoking his special grants to Lady Bacon, "for great and just causes," which, if we may rely on the gossip of Aubrey, seem to have been graver than the sharpness of tongue with which she was commonly credited. Bacon's last words, dictated with no apprehension of his end, show his characteristic manner and ruling passion strong to the close. With accustomed suavity, he apologises to Arundel for his involuntary intrusion, quotes the classics, "I was likely to have the fortune of Caius Plinius the elder, who lost his life by trying an experiment about the burning of the mountain Vesuvius," and adds, "As for the experiment itself, it succeeded excellently well."

The same verdict cannot be passed on his career; but even where he failed, he left the mark of a pioneer. "No one," it has been said, "to whose mind the history of the half-century after him is present, can agree with those numerous writers who speak of Bacon's political work as inferior to his scientific. He was the one man capable of preventing a catastrophe by anticipating the demands of the age." To his work in both directions may be applied the phrase he himself applies to his work in one *fungar vice cotis expers ipse secandi.* In the speculative as in the practical world, he helped to plant the acorn, ignorant of half the conditions that

determine the growth of the oak. His bequest of "name and memory to the judgment of charitable men," of his "fame to foreign nations and future ages," inspired by a heart conscious of frailty and the pride of genius still mewing its wings, has been variously administered. The estimates of his greatness have been often adequate; but the majority of critics have had few regrets in "judging Manlius in the sight of the Capitol:" the fewer that Bacon, unlike the Roman to whom he has, with doubtful propriety, been compared, finally ranged himself on the side that least appeals to later sympathies, when the tides run strongly in another direction. He thought to solve the political problems of his time by an application of his family motto, *Mediocria firma:* amid cross currents he strove to keep the middle way: he tried to strike a balance between contentions that, in reality, could only be resolved by a test of strengths. He sucked in ambition and loyalty with his milk, and came to regard politics as a game in which, as in war and love, almost everything is allowed.

Bacon's philanthropy was no pretence. As far as possible from a Timon, devoid even to excess of disdain, we seem to see in his countenance, as in that of the arch-counsellor of the 'New Atlantis,' "a look as if he pitied men." But in the conflict of the masses and the classes he found, on the whole, the latter in the right. Sackville, Sidney, Spenser, Shakespeare, and Raleigh,—the last of whom, passing through the hoots of the populace to his first trial, said to his judges, "Do you think I am a Robin Hood or a Jack Cade?"—were of the same mind. Nor was it far from that of Milton in the next age, who, with all his distrust of kings, was an

aristocratic Republican, holding firmly to the end that "in number there is little virtue, but by weight and measure wisdom worketh all things."

The feeling of sympathy for the poor, and indignation at their wrongs, is conspicuous in our literature as far back as the great satire of Langland; but Democracy, as a formidable because organised force in European history, dates only from the French Revolution: it was hardly recognised, much less hailed, in the Elizabethan age. "In colleges," says Bacon, "men learn to believe." He might doubtless have added, in courts men learn to kneel. In days when a numerical majority has taken the place of the sovereign, exacts the same allegiance, obtains the same obeisance, many of his expressions—*e.g.*, "to resist the vicegerent of God is not treason, but a kind of theomachy"—give a superficial countenance to the view of Bacon as a mere courtier of the type of Richard III.'s Buckingham, with an *arrière pensée* for philosophy. But the Throne was to Bacon like Party to modern English ministers—*i.e.*, almost an object of idolatry. His flattery, though sometimes startling even to those familiar with the age, must be accepted as an extreme tribute to authority, the exaggerated expression of the sound belief that it were madness to change the helmsman in a storm. With all his inveterate disbelief in popular verdicts, Bacon had a considerable faith in political progress; but he emphasised "by slow degrees." When writing as a practical statesman, he recommends, as emphatically as Aristotle in ancient, or Macaulay in modern times, different polities for different peoples. His ideal, like that of the former, is

a "paternal monarchy"; but he is willing, in the spirit rather of a Liberal Conservative than a Conservative Liberal, to accept any well-tempered and stable form of government. Bacon's readiness in every sphere to adapt himself to circumstances is indeed, as we have seen, one of his main characteristics, and his premature acceptance of the δεύτερος πλοῦς, the second-best way, often resulted in serious practical inconsistencies. The fashion of throwing his thoughts on all subjects into the form of "Antinomies" or "Antitheta," which pervades the 'Essays' and much of the 'De Augmentis,' is more than a trick of his aphoristic style: it is the result of a mental habit, naturally fostered by his practice in the courts, but which, belonging to the Machiavellian side of his character, deeply affected his life. Bacon praises Carneades for being able to speak on any side of any subject, and he repeatedly showed himself able to take almost any side in almost every controversy.[1] His intellectual indecision was apt to become sophistry, and on some occasions led him dangerously near to indifference. His moral faults, though common to his age, should be palliated rather than excused. The fact that "he sold justice, though never

[1] The three most glaring instances of this shifting policy are:—

A. The contradictory advices to Essex about going to Ireland. Unless Bacon incredibly and dangerously lied in his "Apology," he first dissuaded the Earl, and then, on his purpose appearing fixed, turned round with, "Well, as it must be so, you may take a view of the obstacles, which will incite you to nobly overcoming them."

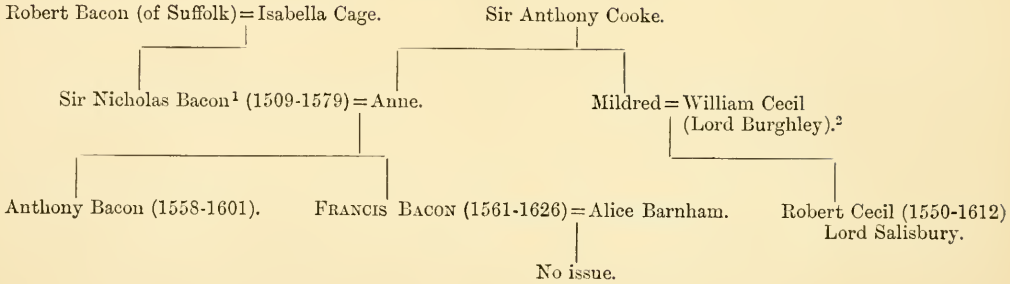
B. The trust, or affected trust, followed by utter distrust, of Cecil.

C. The affair of the Spanish match, where (*v. ante*) the Holy War against the Turks was taken up for a season as Bacon's δεύτερος πλοῦς.

injustice," is specially repugnant to our century, when the stainlessness of the ermine is an article of faith that only the most reckless agitators venture to impugn. Granted that his practice was not beneath the level of that prevalent in his time in both English and French courts, there had been noble examples, as that of More and Sidney in England, of Van Artevelde and Barneveldt abroad, showing, as M. de Rémusat expresses it, that "it is possible to rise without crawling, and that a spirit essaying to surpass or to subdue mankind must not be content with the conscience of the world." It has been said that Bacon's massive genius had no room for qualms, that the Catos of history are predestined to defeat. But so are the Ciceros; in any event, it remains true that the loftiest minds are still under the law and must accept their share of mental as well as physical trials. Of the frequent repugnance of such natures to the hard work of the world Bacon had no share, and of the temptations of impulse perhaps too little; for his errors were not those of geniality. His political enthusiasm, his splendid maintenance of philosophic zeal, are in strange contrast with his coolness, almost coldness, in friendship and in love. Bacon's almost preternatural work shows what a man can do without passions; but some of his defects arose from the want of them. "Deliberately bent upon the right," he "had kept it in the main;" but where he swerved, it was not from excess of the warm blood whose failings, leaning to virtue's side, are more readily condoned. When the tale of his life, the half-accusing, half-exulting record of unequalled powers with unequal

will, has been plainly told, there is no need of rhetorical flourish, appended sermon, or futile "open sesame." In mass, in variety, in scope, his genius is the greatest among men who have played a part at once in widening the bounds of the kingdom of thought and in fencing the bulwarks of their country.

GENEALOGIES OF BACON AND CECIL.



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[1] Six children by a former marriage, to one or more of whom those now claiming the family name must trace their ancestry.

[2] Lady Hatton, a granddaughter of Lord Burghley, when a widow, married Sir Edward Coke (1582). Their daughter married Sir John Villiers, and became Lady Parbeck.

CHIEF DATES OF BACON'S LIFE.

Born at York House, . *January* 22 (*Old Style*, 1560),	1561
Entered Trinity College, Cambridge, ... *April*	1573
Entered Gray's Inn, ...	1576
Abroad with Sir Amyas Paulet, ...	1576-1579
Barrister of Gray's Inn, ...	1582
Entrance into Parliament, ...	1584
Member for Middlesex. Speech on Subsidies, . . .	1593
Present of estate from Essex, ...	1595
First edition of 'Essays,'	1597
Arrested for debt, ...	1598
Essex trial, ...	1601
Death of Anthony Bacon, ...	1601
Early philosophical works, ...	1603-1610
Debates on Union and Hampton Court Conference, .	1604-1605
'Advancement of Learning,'	1605
Bacon's marriage to Alice Barnham, ...	1606
Bacon Solicitor-General, ...	1607
Discussions on "The Great Contract,"	1610-1611
Death of Cecil (Lord Salisbury), ...	1612
Second edition of 'Essays,'	1612
Bacon Attorney-General, ...	1613
Cases of Oliver St John and Peacham, ...	1614-1615
Bacon meets Villiers, ...	1615
Trial of Somerset, ...	1616
Bacon Privy Councillor, ...	1616
Fall of Coke, ...	1616
Bacon Lord Keeper, ... *May* 7,	1617
Bacon Lord Chancellor and Baron Verulam, . . .	1618
Trial and execution of Raleigh, ...	1618
Trial of Lord and Lady Suffolk, ...	1619
Trial of Yelverton, ...	1620
'Novum Organum,'	1620

Bacon Viscount St Albans,	1621
Bacon's trial and confession,	1621
'Histories,' Political and Physical; 'Holy War,' &c.,	1621-1622
'De Augmentis,'	1623
Paper to Prince Charles on War with Spain,	1624
'New Atlantis' (?), Psalms, &c.,	1624
Third edition of 'Essays,'	1625
Bacon's death,	*April* 9, 1626

THE PARLIAMENTS OF JAMES VI.

I. Jan. 11, 1604—Feb. 9, 1611.
Discussed the "Union" and Cecil's "Great Contract."

II. April 5, 1614—June 7, 1614.
The "Addled Parliament"; Question of Undertakers.
[Six years' government by King, Favourites (Carr and Villiers), Ministers (Bacon, Coke, Abbot, Winwood), Privy Council, and Star Chamber.]

III. Jan. 16, 1621—Jan. 6, 1622.
Disgraces Bacon; Reforms about Monopolies, &c.

IV. Feb. 16, 1624—May 29; prorogued to Nov. 2; met, Oct. 1, 1625; prorogued to Feb. 25, 1625.
The King died, March 27, 1625; the First Parliament of Charles I. met, June 18, 1625, and was dissolved, Aug. 11, in the same year.

END OF PART I.

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